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THE MUNICIPAL CODE

OF THE

CITY OF ALAMEDA.

COMPILED BY THE AUTHORITY OF THE CITY COUNCIL

BY HENRY G. TARDY

UNDER THE SUPERVISION OF

A. F. ST. SURE,

CITY ATTORNEY.

Press of the Times-Star, Alameda, Cal.

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THE MUNICIPAL CODE

OF THE

CITY OF ALAMEDA.

CHAPTER I

GENERAL PROVISIONS.

Section 1: Name of Municipal Code. Whereas it is necessary that the general ordinances of the City of Alameda should be amended, revised, codified and enacted in the form of a Municipal Code and all general ordinances and parts of ordinances of a general nature not contained in such Municipal Code repealed, it is hereby ordained that this ordinance shall be enacted and that it shall be known as The Municipal Code of the City of Alameda

Section 2: Repealing and Saving Clause. All general ordinances and parts of ordinances of a general nature not herein contained are hereby repealed; provided, however, that the repeal of such ordinances and parts of ordinances, or any of them, shall not be construed to abate or affect any suit, action or proceeding instituted or pending in any court of this state or other tribunal begun prior to the passage of this ordinance, or under any of the ordinances so repealed, but all such suits, actions or proceedings may be prosecuted to final determination under the laws so repealed; provided, further, that the repeal of any ordinance or parts of ordinances shall not in any wise affect, deny, abridge, divest or impair any right, privilege, action or cause of action accruing or arising under the ordinances hereby repealed, but such right, privilege, action or cause of action accruing or arising shall

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not in anyway be affected by any of the provisions of this Code and shall be governed by the ordinances in effect when the same accrued or arose. This ordinance shall in no manner affect any ordinance, general or special, in the nature of a franchise to any public utility. This ordinance, known as The Municipal Code of the City of Alameda, so far as its provisions are the same in effect include any part owner, joint owner, tenant in common, or joint continuation of those ordinances.

Section 3: General Rules of Construction of This Code. The following rules of construction shall be observed for this and every ordinance, unless inconsistent with the manifest intent of the council, or the context of the ordinance:

First. The repeal of an ordinance shall not revive any ordinance in force before, or at the time when, the ordinance repealed took effect.

Second. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution, or proceeding pending at the time of the repeal, for an offence committed under the ordinance repealed.

Third. Words importing the singular shall include the plural, words importing the plural shall include the singular, and words importing the masculine gender shall include females and boards.

Fourth. The word "street" shall include all public ways, alleys, lanes, courts, and sidewalks and those parts of public squares and places which form travelled parts of highways.

Fifth. The word "parks" and "playgrounds" shall include the public lands placed by the Council under the charge of the Street Superintendent, Park and Playground Committee of the Council or a Park Commission, and those parts of public squares and places which do not form travelled parts of highways.

Sixth. The word "owner", applied to a building or land, shall as those of previously existing ordinances, shall be construed as a tenant of the whole or of a part of such building or land.

Seventh. The word "tenant" or "occupant", applied to a building or land, shall include any person who occupies the whole or a part of such building or land, either alone or with others.

Eighth. The word "person" shall include corporations, firm or copartnership.

Ninth. The word "officer" shall include officers and boards in charge of departments and the members of such boards.

Tenth. Words purporting to give a joint authority to three or more officers or other persons shall be construed as giving such authority to a majority of such officers or persons.

Eleventh. Words prohibiting anything from being done, except in accordance with a license or permit, or authority from a board or officer, shall be construed as giving such board or officer power to license or permit or authorize such things to be done.

Twelfth. Whenever in this Municipal Code the word "City" occurs, it means the City of Alameda, and every department board and officer, whenever either of them is mentioned in this Municipal Code, means a department, board or officer, as the case may be, of the City of Alameda.

Thirteenth. Should any part or parts, provision or provisions of this Municipal Code be illegal or unconstitutional, such illegality or unconstitutionality shall destroy and render null and void only the part or provisions so illegal and unconstitutional, and all the other parts and provisions of this Municipal Code shall be in force and effect so far as may be, as though such illegal or unconstitutional part or provision had not been contained herein.

Section 4: Publication in Book Form. This ordinance which is to be known as "The Municipal Code of the City of Alameda," is hereby ordered to be published in book form by the City Clerk, under the supervision of the City Attorney, and such book may also include the City Charter and such indices and other matter as may be deemed advisable by the City Attorney.

Section 5: Regular Meetings of Council. The regular meetings of the Council of the City of Alameda shall be held in the Council Chamber at the City Hall of said city on the first and third Tuesdays of each month at 7:30 o'clock, P. M., excepting when a meeting day falls upon a holiday, in which case the meeting shall be held on the next succeeding business day at the same hour.

CHAPTER II

OFFICIALS, THEIR DUTIES, SALARIES AND FEES.

Section 6: Salaries of City Clerk, City Attorney, City Treasurer and Street Superintendent. The salaries of the following named officers of the City of Alameda are hereby fixed as follows, the amounts being the monthly compensation for all services rendered to said City of Alameda by the officers named.

The City Clerk shall receive one hundred and fifty dollars;

The City Attorney shall receive one hundred and fifty dollars;

The Treasurer and ex officio Tax Collector of the City of Alameda shall receive two hundred dollars;

The Street Superintendent shall receive one hundred and fifty dollars;

Said salaries shall be paid in arrears for the preceding calendar month.

The salaries herein established shall apply to the terms of office of the several officers concerned, next succeeding their respective current terms.

Section 7: Salaries of Members of the Police Department: The compensation of the Chief of Police and the officials and members of the Police Department of the City of Alameda is hereby fixed and established as follows:

The Chief of Police shall receive $175.00 per month salary;

The officials detailed as Detectives shall each receive $125.00 per month salary;

The officials detailed as Sergeant shall receive $110.00 per month salary;

The official detailed as Clerk at the Police office shall receive $110.00 per month salary;

The official detailed as Driver of the Police Patrol shall receive $100.00 per month salary.

Patrolmen during the first year of continuous service in said Department shall each receive the sum of $90.00 per month salary; during the second year of continuous service in said Department they shall each receive the sum of $95.00 per month salary; and during the third and subsequent years of continuous service in

said Department they shall each receive the sum of $100.00 per month salary.

Salaries shall be paid in arrears for each calendar month and shall be in full of all services performed for the City of Alameda.

Section 8: Salaries of Officers and Employees of the Fire Department. The salaries of the following named officers and employees of the Fire Department of the City of Alameda are hereby fixed as follows, the amounts being the monthly compensation for all services rendered by the officers or employees named.

The Chief Engineer shall receive one hundred and seventy-five dollars.

The First Assistant Engineer shall receive one hundred and fifteen dollars; the Second Assistant Engineer shall receive one hundred and five dollars; the Engineers of the fire engines shall each receive one hundred dollars; Assistant Engineers of the fire engines shall each receive ninety-five dollars; Captains shall each receive ninety-five dollars; Drivers, first class, shall each receive ninety dollars; Drivers, second class, shall each receive eighty-five dollars; "call" Captains shall each receive twenty dollars; Truckmen and Hosemen shall each receive fifteen dollars. Salaries shall be paid in arrears for the preceding calendar month.

Section 9: Salary of the Poundmaster. The compensation of the Poundmaster, including the services of himself and deputies and the expense of horse and vehicle and keep of all animals except dogs, is hereby fixed at the sum of one hundred and fifty dollars per month, payable monthly in arrears for each calendar month.

Section 10: Office of Building Inspector. The office of Building Inspector of the City of Alameda is hereby established. It shall be the duty of said Building Inspector to perform the inspections and duties required by the ordinances of the City of Alameda relating to the construction of buildings and the numbering thereof and also relating to the inspection of chimneys and such other duties as may be assigned to him by the Council.

Section 11: How Appointed and Tenure. The Building Inspector shall be appointed by the Mayor and shall hold office at the pleasure of the Council subject to the power of suspension by the Mayor as provided by the Charter of the City of Alameda.

Section 12: Salary of Building Inspector. The salary of the Building Inspector is hereby fixed at the sum of one hundred and twenty-five dollars per calendar month payable in arrears.

Section 13: What Building Inspection Fee Includes. Whenever a fee has been paid for a building permit no additional or other fee shall be required for the inspection of chimneys constructed under said building permit.

Section 14: Duties of City Engineer. It shall be the duty of the City Engineer to give the corners, lines or survey of lots, and the proper grade of the sidewalks in front of all buildings, blocks, or lots, with plot or certificate of same, when applied to for that purpose. And for such service the party requiring such work done shall pay all lawful charges for the same. When required by the City Council or any city contractor for work in said City he shall furnish the lines, grades and measurements and calculations for any street or other city work. It shall also be his duty when ordered by said Council to place monuments as initial points for the purpose of measurements or grades, and at such places as said Council may direct, and do and perform such other duties as pertain to said office.

Section 15: Necessity to Keep Records of Surveys. The City Engineer shall keep a record of all surveys and measurements made under the provisions of this ordinance in a book or books to be kept for that purpose. All records of surveys and all calculation books pertaining to street or other city work, with all maps, plans and profiles in which the city can in any manner be interested, shall be and remain the property of the city, and shall be kept in a secure place open to public inspection. And all such books, plans, maps and profiles shall be carefully preserved by the City Engineer and transmitted to his successor in office.

Section 16: Salary of City Engineer. The salary of the City Engineer for services rendered to the City of Alameda is hereby fixed at one hundred and twenty-five dollars per month payable monthly in arrears for the preceding calendar month. Said salary is in addition to his right to collect the fees and charges hereinafter provided.

Section 17: Fees and Charges Allowable. The fees and charges of the City Engineer for setting stakes, including plot

and certificate of any lot or block above high water mark in the City of Alameda, shall be as follows—distance referring to street frontage:

Twenty-five foot lot—4 stakes	$7.50
Fifty foot lot—4 stakes	8.00
Seventy-five foot lot—4 stakes	8.50
One hundred foot lot—4 stakes	9.00

For setting grade stakes in front of any lot, 2 stakes, $2.50 each. For each additional stake, $1.00. For setting grade stakes for full block, $20.00.

For surveys and engineering for street improvements the charges shall be as follows, to wit:

For running all lines and setting all stakes necessary for the grading and curbing and macadamizing or planking or paving of any street to the official grade, including certificate and record of the work when completed at the rate of eight (8) cents per linear foot.

For running lines and setting the necessary stakes for the curbing and macadamizing or paving of any street already graded to the official grade, including certificate and record, at the rate of eight (8) cents per linear foot provided, that where said Engineer has received fees for grading the rate for macadamizing only shall be at the rate of one (1) cent per linear foot.

For giving lines and grades for sewers, at the rate of five (5) cents per linear foot.

For plan and profile, in private contracts, Five (5) Dollars.

The term linear foot shall be deemed to include both sides of any street (where work extends beyond the center thereof) and the rates charged shall include the furnishing of stakes used.

The official fees of the City Engineer for surveying and setting stakes for the work of paving and bituminizing roadways shall be fifteen cents per running foot which fees shall include the cost of all preliminary surveys, profiles, mapping and estimates.

For all work and services rendered by the City Engineer in connection with proceedings under that certain act of the Legislature of the State of California entitled "An Act to provide for the lighting of public streets, lanes, alleys, courts, and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefitted thereby," approved

March 21, 1905, the City Engineer shall receive as an official fee one (1) cent per front foot of street improved thereunder.

The fees of the City Engineer for preliminary surveys and estimates of quantities and plans are hereby fixed as follows, said fees to be in addition to those allowed by ordinance, and to be a charge against the property in front of which said surveys are made and included in assessment for the work. On grading by cubic yard, five cents per linear foot measured along the center line of the street; on grading by square foot one cent per linear foot, measured in the same way; on macadamizing by square foot, one and one half cents per linear foot, measured in the same way; on paving by square foot, one and one half cents per linear foot, measured in the same way, on sidewalk, three cents per linear foot of sidewalk; on curbing, one half cent per linear foot of curbing; on crosswalks, one half cent per linear foot of crosswalk; on culverts, one half cent per linear foot; on sewers one cent per linear foot of sewer; for each plan accompanying the above, five (5) dollars; for special specifications, one fourth of one per cent of cost of work as shown by contractor's accepted bid. No additional charge shall be made for preparing and filing certificates of quantities and estimates. For assessment diagram and final certificate five (5) Dollars. Resetting of stakes disturbed or destroyed by the contractor shall be at the expense of said contractor.

Section 18: Posting of Rates and Fees. The foregoing rates shall be posted in a conspicuous place in the office of the City Engineer.

Section 19: Official Bonds Required. The officers of the City of Alameda hereinafter in this section named, before entering upon the duties of their respective offices, shall each execute to said City of Alameda a bond in the penal sum hereinafter mentioned next to the name of such officer, which bond shall be conditioned for the faithful performance of the duties of such officer including in the same bond the duties of all offices of which he is made the ex-officio incumbent of the Charter of the City of Alameda: The said officers and the penal sums of their respective bonds shall be as follows, to wit:

Mayor in the penal sum of Five Thousand Dollars.

City Clerk in the penal sum of Twenty-five Hundred Dollars.

Treasurer and Tax Collector in the penal sum of Thirty Thousand Dollars.

City Attorney in the penal sum of Three Thousand Dollars.

Anditor and Assessor in the penal sum of Five Thousand Dollars.

Street Superintendent in the penal sum of Twenty-five Hundred Dollars.

City Engineer in the penal sum of Twenty-five Hundred Dollars.

Chief of Police in the penal sum of Three Thousand Dollars.

Building Inspector in the penal sum of One Thousand Dollars.

Section 20: Application of State Law to Official Bonds. All the provisions of any law of this State relating to the official bonds of officers, existing at the time of the presentation of any of the bonds herein mentioned, shall apply to such bonds except as otherwise provided in the Charter of the City of Alameda.

Section 20a. Salary of Auditor and Assessor. The salary of the Auditor and Assessor, for acting in both capacities, is hereby fixed at the sum of Two Hundred (200) Dollars per calendar month payable in arrears. (Ord. No. 3, N. S.)

CHAPTER III.

FINANCE, TAXATION AND ASSESSMENTS.

Article 1—DEMANDS AGAINST THE CITY TREASURY.

Section 21: Necessity For Demands to Be Presented For Approval. Every demand against the City which is subject to the action or approval of the Council shall be presented to the board, commission or officer to whose department such demand relates who shall indorse upon it their approval or rejection as provided by the charter of said city. Upon such approval said demand shall be presented to the Council of which the Finance Committee shall examine such demand and shall indorse thereon its approval or rejection by the concurrence of at least two of its members, or such recommendation respecting such demand as said committee may see fit.

Section 22: Form, Verification and Filing of Demands. Every demand which is subject to the action or approval of the Council shall be verified as hereinafter provided and shall be made out substantially in the form approved and adopted by the Council therefor. Every such demand shall be filed with the Clerk at least four days prior to the time of the meeting of the Council at which action upon such demand is asked, and no demand shall be allowed on the day upon which it is filed. Every such demand shall be verified by the affidavit of the person making the demand or by some person in his behalf and shall be itemized, giving names, dates and particular services rendered, or work done, number of days engaged, supplies or materials furnished, to whom, and quantity and price thereof.

Section 23: Manner of Voting On Demands. All votes of the Council allowing or approving any demand or demands for money or for the payment of money, shall be taken by ayes and noes, which shall be entered in the minutes of the Council.

Upon the allowance or approval of a demand by the Council, and where necessary, by the Mayor, the Clerk shall certify thereon the fact, date and amount of such allowance or approval, shall attest the same with his signature, and shall transmit such demand to the auditor, who shall, in case he allows such demand, indorse upon it "allowed," together with the amount for which it is allowed, from what fund, date, and number of the warrant, and shall in attestation thereof affix his signature. He shall upon application of the claimant detach from the demand and deliver to him the memorandum forming part thereof which when executed by the auditor shall constitute the warrant on the treasury. The auditor shall file the demand in his office.

Section 24: Certification of Demands By Library Trustees And Electricity Board. The Secretary and Assistant Secretary of the Board of Library Trustees and the Secretary of the Board of Electricity are each hereby authorized to certify the action of their respective boards on demands presented thereto and to administer oaths and affirmations for the verification of said demands.

Section 25: Certification of Demands By Street Superintendent. The Street Superintendent and his deputy where such deputy exists are hereby authorized and it is made their duty to

certify all demands in cases where they have supervision, before the same are presented to the Council, and they are hereby authorized to administer oaths and affirmations for the verification of such demands.

Section 26: Certification of Demands By Police And Fire Departments. The Chief of Police and the Chief Engineer or Assistant Chief Engineer of the Fire Department are hereby authorized and it is made their duty to certify all demands preferred on account of their respective departments and they are authorized to administer oaths and affirmations for the verification of such demands.

Article 2. SYSTEM OF ASSESSMENTS, LEVY AND COLLECTION OF CITY TAXES.

Section 27: City Assessor How Governed. The Assessor of the City of Alameda, in making assesment of city taxes shall be governed by the provisions of this ordinance.

Section 28. Adoption of Section 3627 Political Code. For the purposes of this ordinance, Section 3627 of the Political Code of the State of California is hereby adopted and made a part of this ordinance.

Section 29: What Property Assessable And How Assesment Made. All franchises granted by the authority of the City of Alameda must be assessed in Alameda, and all franchises granted by other authority shall be assessed in Alameda only for the proportion thereof within said City of Alameda. All other taxable property shall be assessed in Alameda if situated in Alameda. Lands shall be assessed in parcels or sub-divisions not exceeding six hundred and forty acres each. The Assessor must between the first Mondays in March and August, in each year, ascertain the names of all taxable inhabitants, and all property in Alameda, subject to taxation, except such as is required to be assessed by the State Board of Equalization, and must assess such property to the persons by whom it was owned or claimed, or in whose possession or control it was at twelve o'clock M., of the first Monday of March, next preceding; but no mistake in the name of the owner or supposed owner of real property, shall render the assessment thereof invalid. In assessing solvent credits, not

secured by mortgage or trust deed, a reduction therefrom shall be made of debts due to bona fide residents of this State.

Section 30: Power of Assessor To Exact Statement of Assessable Property. The Assessor shall have power to exact from every person a statement under oath, setting forth specifically all the real and personal property owned by such person; or in his possession or under his control, at twelve o'clock M., on the first Monday in March. Such statement shall be in writing showing separately:

(1) All property belonging to, claimed by, or in the possession, or under the control or management of such person.

(2) All property belonging to, claimed by, or in the possession, or under the control or management of any firm of which such person is a member.

(3) All property belonging to, or claimed by, or in the possession, or under the control or management of any corporation of which such person is president, secretary, cashier or managing agent.

(4) An exact description of all lands in parcels or sub-divisions, not exceeding six hundred and forty acres each, improvements and personal property, including all vessels, steamers, and other water craft, and all taxable State, county, city, or other municipal, or public bonds and the taxable bonds of any person, firm, or corporation, and deposits of money, gold dust, or other valuables, and the names of the persons with whom such deposits are made, and the places in which they may be found, all mortgages, deeds of trust, contracts, and other obligations by which a debt is secured and the property in the town affected thereby.

(5) All solvent credits, unsecured by deed of trust, mortgage or other lien on real or personal property, due or owing to such person, or any firm of which he is a member, or due or owing to any corporation of which he is president, secretary, cashier or managing agent, deducting from the sum total of such credits such debts only, unsecured by trust deed, mortgage,or other lien on real or personal property, as may be owing by such person, firm or corporation, to bona fide residents of this State. No debt shall be so deducted unless the statement shows the amount of such debt as stated under oath in aggregate; provided, in case of banks the statement is not required to show the debt in detail,

or to whom it is owing, but the Assessor shall have the privilege of examining the books of such banks to verify said statement. Whenever one member of a firm, or one of the proper officers of a corporation, has made a statement showing the property of the firm, or corporation, another member of the firm or corporation or another officer need not include such property in the statement made by him; but his statement must show the name of the person or officer who made the statement in which said property is included.

Section 31: Duty of Council to Furnish Assessor Blank Forms of statements—Form of Statement. The Council must furnish the Assessor with blank forms of the statements provided for in the preceding section, affixing thereto an affidavit which must be substantially as follows: "I.....do swear that I am a resident of The City of Alameda (or other place naming it), that the above list contains a full and correct statement of all property subject to taxation in the City of Alameda, which I, or any firm of which I am a member, or any corporation, association or company of which I am President, Cashier, Secretary or Managing Agent, owned, claimed, possessed or controlled at twelve o'clock M., on the first Monday in March last, and which is not already assessed this year; and that I have not in any manner whatsoever transferred or disposed of any property or placed any property out of said Alameda or my possession, for the purpose of avoiding any assessment upon the same, or of making this statement, and that the debts therein stated as owing by me are owing to bona fide residents of this State or to firms or corporations doing business in this State." The affidavit to the statement on behalf of a firm or corporation, must state the principal place of business of the firm or corporation, and in other respects must conform substantially to the preceding form.

Section 32: Manner of Filling Out Statement. The Assessor may fill out the statement at the time he presents it, or he may deliver it to the person and require him, within an appointed time, to return the same to him, properly filled out.

Section 33: Power to Require Information For Use in Assessment—Penalty For Failure to Furnish It. The Assessor shall have power:

First—To require any person found within the City of Alameda to make and subscribe an affidavit giving his name, place of residence, or place of business, and whether he is the owner of any taxable property.

Second—To subpoena and examine any person in relation to any statement furnished to him or which discloses property which is assessable in the City of Alameda. Every person who shall refuse to furnish the statement hereinbefore required, or to make and subscribe such affidavit respecting his name or place of residence, or to appear and testify when requested to do so by the Assessor, as above provided, shall, for each and every refusal, and so often as the same is repeated, forfeit to the City of Alameda the sum of one hundred dollars, in gold coin of the United States, to be recovered in an action brought in its name by the Assessor in any Justice's Court. All moneys recovered by the Assessor under the provisions of this section must by him be paid into the Treasury of the City of Alameda.

Section 34: Effect of Refusal to Furnish Assessment Information. If any person, after demand made by the Assessor neglects or refuses to give under oath, the statement herein provided for, or to comply with other requirements of this article, the Assessor must note the refusal on the assessment book, opposite the name of such person, and must make an estimate of the value of such property of such person, and the Assessor must transmit on or before the first Monday in August of each year, to the Council a verified report in writing, separate from the assessment roll, containing a complete list of all persons who refuse or neglect to furnish a statement of their property as herein provided for, or to comply with the requirements of this article, the amount of the assessment upon the property of such persons, with a statement of the particular facts, if any, upon which the assessment has been made, and the valuation of the property, so assessed, ascertained. The Council must investigate and inquire into all assessments and values so fixed by the Assessor, as prescribed by this section, and for that purpose must require each taxpayer, affected by such assessment and valuation, to make a statement under oath, within ten days from making order requiring such statement, setting forth specifically, all the property owned or controlled, or in the possession of such tax-

payer on the first Monday in March. If any taxpayer, after demand made by the Council shall neglect or refuse to make and deliver to the said Council the statement, duly verified, herein provided for, or to comply with the other requirements of this article, the said Council, sitting as a Board of Equalization must increase such assessment and valuation to such an amount as the said Board shall deem just; but the value fixed by the Assessor must not in any case, be reduced by the Council.

Section 35: Absent or Unknown Owners—Property Held On Consignment—If the owner or claimant of any property, not listed by another person, is absent or unknown, the Assessor must make an estimate of the value of such property.

All personal property consigned for sale to any person within this State from any place out of this State must be assessed as other property.

Section 36: How Assessed Against Absent Owner. If the name of the absent owner is known to the Assessor, or if it appears of record in the office of the County Recorder where the property is situated, the property must be assessed to such name. If unknown to the Assessor, and it does not appear of record as aforesaid, the property must be assessed to unknown owners.

Section 37: How Assessed When Property Held in Representative Capacity. When a person is assessed as agent, trustee, bailee, guardian, executor, or administrator, his representative designation must be added to his name and the assessment entered upon a separate line from his individual assessment.

Section 38: How Assessed When Owned By Firm or Corporation. The property of every firm or corporation must be assessed in the name of the firm or corporation.

Section 39 How Assessed When Owned By An Estate. The undistributed or unpartitioned property of deceased persons may be assessed to the heirs, guardians, executors, or administrators; and a payment of taxes made by either binds all the parties in interest for their equal proportions.

Section 40: Effect Where Property Willfully Concealed or Removed. Any property willfully concealed, removed, transferred or misrepresented by the owner or agent thereof to evade

taxation, upon discovery must be assessed not exceeding ten times its value, and the assessment so made must not be reduced by the Council.

Section 41: Effect Where Property Has Escaped Last Assessment. Any property discovered by the Assessor to have escaped assessment for the last preceding year, if such property is in the ownership or under the control of the same person who owned or controlled it for such preceding year, may be assessed at double its value.

Section 42: Duty of Assessor to Prepare Assessment Books—What to contain. The Assessor must prepare an assessment book, with appropriate headings in which must be listed all taxable property within the City, and in which must be specified in separate columns, under the appropriate head:

(1) The name of the person to whom the property is assessed.

(2) Land, by metes and bounds, or other description sufficient to identify it, giving an estimate of the number of acres (not exceeding in each and every tract, six hundred and forty acres), locality anl improvements thereon.

(3) City and town lots, number of lot and block and improvements thereon.

(4) All personal property showing the number, kind, amount and quality; but a failure to enumerate in detail such personal property does not invalidate the assessment.

(5) The cash value of real estate other than city lots.

(6) The cash value of improvements on such real estate.

(7) The cash value of city lots.

(8) The cash value of improvements on city lots.

(9) The cash value of improvements on real estate assessed to persons other than owners of the real estate.

(10) The cash value of all personal property exclusive of money.

(11) The amount of money.

(12) The total value of all property. The assessment of the franchise, roadway, roadbeds, rails and rolling stock of any railroad within said city and apportioned to this city by the Board of Supervisors, and also such other apportionments of such franchises, roadways, roadbeds, rails and rolling stock, as may be made by such Board, and furnished to him for the purpose of

taxation. Taxable improvements owned by any person, firm, association, or corporation, located upon land exempt from taxation, shall as to the manner of assessment be assessed as other real estate upon the assessment book. No value shall, however, be assessed against the exempt land nor under any circumstances shall the land be charged with or become responsible for the assessment made against any taxable improvements located thereon.

(13) When any property, except that owned by a railroad or other quasi-public corporation, is subject to, or affected by a mortgage, deed of trust, contract, or other obligation by which a debt is secured, he must enter in the proper column, the value of such security and deduct the same. In entering assessments containing solvent credits subject to deduction, he must enter in the proper column, the value of the debts, entitled to exemption, and deduct the same. In making the deduction from the total value of the property assessed as above directed, he must enter the remainder in the column provided for the total of all property for taxation. Each franchise must be entered upon the assessment book without combining the same with other property or the valuation thereof.

Section 43: When Assessment Book Must Be Completed. On or before the first Monday of August, in each year, the Assessor must complete his assessment book. He or his deputies must make and subscribe an affidavit in the assessment book to be substantially as follows: "I .....Assessor (or Deputy Assessor, as the case may be), of the City of Alameda, do swear that between the first Monday in March and the first Monday in August, Nineteen hundred and ..... I have made diligent inquiry and examination to ascertain all the property within the City of Alameda, subject to assessment by me, and that the same has been assessed on the assessment book equally and uniformly, according to the best of my judgment, information and belief, at its full cash value; and that I have faithfully complied with all the duties imposed upon the Assessor under the revenue laws, and that I have not imposed any unjust or double assessments through malice or ill will or otherwise nor allowed anyone to escape a just and equal assessment through favor or reward or otherwise." But the failure

to make or subscribe such an affidavit, or any affidavit will not in any manner affect the validity of the assessment.

Section 44: Duty to Prepare Index to Assessment Book—Where to Be Shown. The Assessor must prepare an index to the assessment book, which must show the name of the tax payer, and each page whereon his assessment appears, and such index shall be in any suitable form adopted by the Assessor for that purpose.

Section 45: Delivery of Assessment Book to City Clerk—Publication of Meeting of Board of Equalization. As soon as completed, the assessment book must be delivered to the Clerk of the City of Alameda, who must immediately give notice thereof, and of the time the Board of Equalization will meet to equalize assessments, by publication in the official newspaper of the city, for five days, and in the meantime the assessment book must remain in his office, for the inspection of all persons interested.

Section 46: Description of Land Already Described—Effect Where Several Claimants. Lands once described on the assessment book need not be described a second time, but any person claiming the same, and desiring to be assessed therefor, may have his name inserted with that of the person to whom such land is assessed.

Seciion 47: Liability of Assessor and Sureties on His Bond. The Assessor and his sureties are liable on his official bond for all taxes or property, within the City of Alameda, which through his willful failure or neglect are unassessed.

Section 48: Right of Taxpayer to Call Attention of Council to Escaped Assessment—Suit on Assessor's Bond. Any taxpayer who shall have knowledge of any property that has escaped taxation, as provided in the preceding section, may file with the Council an affidavit setting forth the fact that such property has through the willful failure or neglect of the Assessor, escaped taxation, together with a description of the property as near as such taxpayer may be able to give, whereupon said Council shall direct the City Attorney to commence an action on the Assessor's bond for the amount of taxes lost from such willful failure or neglect. On the trial of such action, the value of the property unassessed being shown, judgment for the amount of taxes that should have been collected thereon must be entered.

Section 49: Meeting of Council As a Board of Equalization. The Council shall meet at their usual place of holding meetings on the first Monday in September of each year, at ten o'clock in the forenoon of said day, and sit as a Board of Equalization, and shall continue in session from day to day until all returns of the Assessor have been received; and on the third Tuesday in September of each year shall levy upon the assessed valuation of the property of said city a rate of taxation upon each one hundred dollars of valuation, which shall be entered upon their minutes.

Section 50: Power of Board of Equalization to Change Assessments—How to Be Done. The Board of Equalization has power, after causing the City Clerk to give the notice thereof hereinafter provided for to increase or lower any assessment contained in the assessment book, so as to equalize the assessment of the property contained in said book, and make the assessment conform to the true value of such property in money.

The said notice shall be given in the following manner: The Clerk of said City of Alameda, shall, at least three (3) days before action taken by the Board of Equalization cause to be mailed, through the United States Mail, postage prepaid, to the owner or owners of any parcel or parcels of land or of any other property described on the assessment book, or to the respective agent or agents of such owner or owners, a printed or written notice, describing such property by some appropriate designation, stating that an increase or decrease as the case may be, is proposed to be made on the value of such property as appears on such assessment book, and designating therein the day fixed by the Board of Equalization for the hearing and investigation of such matter. Such notice shall be addressed to each of such owners or their agents at their respective places of address, where known, and, if unknown, then to the Post Office nearest to such land or property the assessed value of which is proposed to be increased or decreased.

Section 51: Necessity For Application For Reduction of Valuation. No reduction must be made in the valuation of property, unless the party affected thereby, or his agent, makes and files with the Board a written application therefor, verified by his oath, showing the facts upon which it is claimed such reduction should be made.

Section 52: Necessity For Evidence to Make Reduction. Before the Board grants the application, or makes any reduction applied for, it must first examine under oath, the person or agent making the application, touching the value of the property of such person. No reduction must be made unless the party or the agent making the application attends and answers all questions pertinent to the inquiry.

Section 53: Right of Board to Subpoena Witnesses. Upon the hearing of the application the Board may subpoena such witnessse, hear and take such evidence in relation to the subject pending, as in its discretion it may deem proper. During the session of the Board the Assessor or any deputy whose testimony is needed, must be present and may take any statement or introduce or examine witnesses on questions before the Board.

Section 54: General Powers of Board of Equalization. .The Board shall have power to hear complaints and to correct, modify, or strike out any assessment, upon notice to the party whose assessment is to be raised, as hereinbefore provided. During the session of the Board, it may direct the Assessor to assess any taxable property that has escaped assessment, or to add to the amount, number or quantity of property when a false or incomplete list has been rendered; and to make and enter the new assessments (at the same time cancelling previous entries), when any assessment made by him is deemed by the Board so incomplete as to render doubtful the collection of the tax; but the Clerk must notify all persons interested, by letter deposited in the Post Office or express, post paid, and addressed to the person interested, at least three days before action taken, of the day fixed when the matter will be investigated.

Section 55: City Clerk to Keep Record of Changes Made By Board. The City Clerk must record in a book to be kept for that purpose, all changes, corrections, and orders made by the Board, and during its session, or as soon as possible after its adjournment, must enter upon the assessment book all changes and corrections made by the Board. It shall not be necessary to make a duplicate assessment book. The City Auditor shall compute all delinquent taxes and penalties therefor and charge the Tax Collector therewith. The Clerk must attach to the assessment book the following affidavit:

"I .....do swear that, as Clerk of the City of Alameda, I have kept correct minutes of all the acts of the Board of Equalization touching alterations in the assessment book that all alterations agreed to or directed to be made, have been made and entered in the book; that no changes or alterations have been made therein except those authorized, andt hat he foregoing is the assessment roll of said city for taxes levied for the current year."

Section 56: Determination of Rate of City Taxes. On the third Tuesday of September of each year, the Council shall determine the rate of City taxes to be levied and collected upon the assessed valuation of the property appearing on the assessment book; which, after allowing one and one half per cent (1½%) of the assessed valuation, for delinquencies, must be sufficient to raise the necessary revenue for the City of Alameda; provided, however, the same for general revenue purposes shall not exceed the limit of taxation provided for in the charter of the City of Alameda, and the provisions of the law in relation to the same. In fixing such rate the Conucil shall fix the same by designating the number of cents on each one hundred dollars ($100) of property, specifying the portion of the whole, which shall belong to each particular fund of the City, and designating also the portion thereof belonging to each special purpose or special bonded indebtedness of the City. Having determined on the whole rate to be levied, the Council shall then levy the tax to provide for raising the necessary revenue of the City for the fiscal year.

Section 57: Effect of Tax As a Judgment and Lien. Every tax due upon real property is a lien against the property assessed; and every tax due upon improvements upon real estate assessed to others than the owner of the real estate, is a lien upon the land and improvements. Every tax due upon personal property is a lien upon the real property of the owner thereof. Every tax has the effect of a judgment against the person, and every lien created by this ordinance has the lien created by this ordinance has the force and effect of an execution duly levied against all property of the delinquent; the judgment is not satisfied nor the lien removed until the taxes are paid or the property sold for the payment thereof. The several liens herein provided

for attach as of the first Monday of March of each year at twelve o'clock, noon.

Section 58: When Assessment Book Is to Be Delivered to City Auditor. The Council shall then deliver the assessment book to the City Auditor, who shall compute and carry out the amount of tax so levied upon each parcel of property in said assessment book contained. The correct list for each tax shall be the assessment book for said tax for said year. The Auditor must then compute and enter into a separate money column in the assessment book the respective sums, in dollars and cents, rejecting the fractions of a cent, to be paid as a tax on the property therein enumerated, and segregate and place in the proper columns of the book the respective amounts due in installments, as hereinafter provided, and foot up the column, showing the total amount of such taxes and the columns of total value of property in the City as corrected under the direction of the Board of Equalization.

Section 59: When Corrected Assessment Book is to Be Delivered to Tax Collector. At least five days before the second Monday in October, the City Auditor must deliver the corrected assessment book to the Tax Collector, with an affidavit attached thereto, and by him subscribed as follows:

"I ....., Auditor of the City of Alameda, do swear that I have corrected the assessment book of taxable property in Alameda and made it to conform to the requirements of the Board of Equalization, that I have reckoned the respective sums due as taxes, and have added up the columns of valuation, taxes and acreage, as required by law." On delivering the assessment book to the Tax Collector, the Auditor must charge the Tax Collector with the full amount of the taxes levied.

Section 60: Publication of Notice When Taxes Shall Become Delinquent—What Notice Should Contain. Within ten days after the recept of the assessment book, the Tax Collector must publish a notice for six (6) successive days in the official newspaper of said City specifying:

That the taxes on all personal property secured by real property, and one-half of the taxes on all real property, will be due and payable on the second Monday in October, and will be delinquent on the last Monday in November next thereafter, at six o'clock P. M., and that fifteen per cent will be added to the

amount thereof, unless paid prior thereto, and that if said one-half be not paid before the last Monday in April next thereafter, at six o'clock P. M., an additional five per cent will be added thereto. That the remaining one-half of the taxes on all real property will be payable on and after the first Monday in January next, and will be delinquent on the last Monday in April next thereafter, at six o'clock P. M., and that unless paid prior thereto, five per cent will be added to the amount thereof.

That all taxes may be paid at the time the first installment, as herein provided, is due and payable.

The times and places at which payment of taxes may be made.

All taxes shall be due and payable at the times and in the manner specified in this subdivision.

Section 61: Duty of Tax Collector to Give Receipt—and Form Thereof. He must give a receipt to the person paying any tax, or any part of any tax, specifying the amount of the assessment and the tax, or the part of tax, paid, and the amount remaining unpaid, if any, with a description of the property assessed; provided, that the receipt for the last installment of taxes may refer, by number or any other intelligent manner, to the receipt given for the first installment of taxes, in lieu of a description of the property assessed.

Section 62: When Taxes Become Delinquent—Effect of Delinquency. On the last Monday in November of each year, at six o'clock P. M., all taxes then unpaid, except the last installment of the real property taxes, are delinquent and thereafter the Tax Collector must collect, for the use of the City of Alameda, an addition of fifteen per cent thereon; provided, that if they be not paid before the last Monday in April next succeeding, at six o'clock P. M., he shall collect an addition of five per cent thereon. On the last Monday of April of each year at six o'clock p. m., all the unpaid portion of the remaining one-half of the taxes on all real property are delinquent, and thereafter the Tax Collector must collect for the use of the City of Alameda, an addition of five per cent thereon; provided that the entire tax on any real property may be paid at the time the first installment as above provided is due and payable; and provided further, that the taxes on all personal property unsecured by real property, shall be due

and payable immediately after the assessment of said personal property is made.

Section 63: Right to Pay Tax Claimed As Void Under Protest —Effect of Such Payment. At any time after the assessment book has been received by the Tax Collector, and the taxes have become payable, the owner of any property assessed therein who may claim that the assesment is void in whole or in part, may pay the tax thereon to the Tax Collector under protest, which protest shall be in writing, and shall specify whether the whole assessment is claimed to be void, or if a part only, what portion, and in either case the ground upon which such claims are founded. And when so paid under protest, the payment shall be in no case regarded as a voluntary payment, and such owner may at any time within six months after such payment bring an action against the City of Alameda in the Superior Court, to recover back the tax so paid under protest; and if it shall be adjudged that the assessment or any part thereof referred to in the protest was void on the ground specified in the protest, judgment shall be entered against said City therefor.

Section 64: Right to Pay Taxes On Particular Lot or Piece Separate From Whole Assessment. The taxes upon any particular lot, piece or parcel of land contained in any assessment may be paid separately from the whole assessment, if such lot, piece or parcel has a separate valuation on the assessment book, by paying the amount of City taxes due on such lot, piece or parcel of land with a proper proportion of the amounts due as tax on personal property and penalties if any. The Tax Collector shall make an entry on the margin of the Assessment book, showing what certain property has been released by the payment of taxes as herein provided together with the amounts of such taxes separately and specifically set forth.

Section 65: When Unsecured Personal Property Must Be Assessed. All personal property unsecured by real property must be assessed by the Assessor on or before the first Monday in June of each year.

Section 66: How Taxes On Unsecured Personal Property Are to Be Collected. Taxes on all personal property when no real estate is liable therefor, and on all property, when in the opinion

of the Assessor, said taxes are not a lien upon real property sufficient to secure the payment of the taxes, must be collected as provided in the next section. Taxes on all assessments of, possession of, claim to or right to the possession of land, shall be immediately due and payable upon assessment, and shall be collected by the Assessor of the City of Alameda as provided in the next section.

Section 67: Right of Assessor to Collect Taxes and Enforce Same By Seizure of Personal Property. At the time of making the assessment for any of the taxes mentioned in the next foregoing section of this ordinance or at any time until the delivery of the assessment book to the Tax Collector, the Assessor of the City of Alameda shall collect such taxes from all persons assessed. To enforce such collection the Assessor may seize and sell any personal property owned by the person against whom the tax is assessed in the manner provided in Sections 3791, 3792, 3793, 3794, 3795 and 3796 of the Political Code of the State of California, which sections are hereby made a part of this article.

At any time after the delivery of the assessment book to the Tax Collector, he is hereby empowered to collect any of the taxes mentioned in the next foregoing section of this article in the same manner as herein provided for the Assessor.

Section 68: How Amount of Taxes Ascertained Where Rate Not Yet Fixed. The Assessor shall be governed as to the amount of taxes to be collected on personal property, by the rate of taxation for City Taxes in Alameda of the previous year, if the rate for the current year has not been fixed at the time of collection.

Section 69: Necessity to Show Payments on Assessment Book. The Assessor must, as soon as the "Assessment Book" for the year is completed, note opposite the names of each person from whom taxes have been received, the fact and the amounts thereof.

Section 70: Personal Property Tax Receipts—Form of. Receipts must be issued for personal property taxes from a stub book, having the stubs numbered the same as the receipts; such stub book shall have a line for the name of the person assessed, the amount of the assessment, the rate collected, lines for the items assessed for collection, the total amount, the date of collection and the name of the deputy making the collection. Such

blank personal property tax receipt books shall be furnished for such purposes by the City of Alameda, and all unused receipts must be turned in by the Assessor with his settlement for personal property taxes, which settlement shall be made when the Assessment Book is turned over to the Tax Collector.

Section 71: Duty to Compare Assessment Book With Delinquent List... The Tax Collector must on the third Monday of May, attend at the office of the City Auditor with the delinquent list, and the Auditor must then carefully compare the list with the assessment of persons and property not marked "paid" on the assessment book, and when taxes have been paid must note the fact in the appropriate column in the assessment book.

Section 72: Oath of Tax Collector to Tax Payments Made. The Auditor must then administer an oath to the Tax Collector, to be written and subscribed in the delinquent list, that every person and all property assessed in the delinquent list, on which taxes have been paid have been credited in the list with such payment.

Section 73: Settlement of Auditor And Tax Collector. The Auditor must then foot up the amount of taxes remaining unpaid and credit the Tax Collector with the amount, and have a final settlement with him. And the delinquent list must remain on file in the Tax Collector's office.

Section 74: Oath of Tax Collector to Correctness of List of Delinquents. At the time he attends at the Auditor's office, the Tax Collector must make an affidavit, indorsed on the list, that the taxes not marked "paid" have not been paid, and that he has not been able to discover any property belonging to or in possession of the persons liable to pay the same whereof to collect them.

Section 75: Collection of Delinquent Taxes. All taxes which shall have become delinquent shall be collected as follows:

On or within five days before or after the first Monday in June of each year, the Tax Collector must publish the delinquent list, which must contain the names of the persons and a description of the property delinquent, and the amount of taxes and costs due, opposite each name and description, with the taxes due on personal property added to the taxes on real estate, where the real estate is liable therefor, or the several taxes are due from the same person. The expense of the publication to be a charge against

the City. The Tax Collector must append and publish with the delinquent list a notice that unless the taxes delinquent, together with the cost and percentage, are paid, the real property upon which such taxes are a lien, will be sold at public auction. The publication must be made once a week for three successive weeks in some newspaper or supplement thereto, published in said City, which newspaper shall be the one which shall have been designated by the Council of said City to do the said printing and advertising. The publication must designate the time and place of sale, which time must not be less than twenty-one nor more than twenty-eight days from the first publication, and the place must be in or in front of the Tax Collector's office.

Section 76: Filing Copy of Delinquent Tax List With County Recorder and City Clerk With Affidavit of Publication. The Tax Collector, as soon as he has made the publication required, must file with the County Recorder and City Clerk, respectively, a copy of the publication with an affidavit attached thereto, that it is a true copy of the same; that the publication was made in a newspaper or supplement thereto, stating its name and place of publication, and the date of each appearance; and that such newspaper or supplement thereto was the newspaper designated by the Council of said City to do said printing and advertising.

Section 77: Collection of Costs of Publication. The Tax Collector must collect, in addition to the taxes due on the delinquent list, and five per centum added thereto, fifty cents on each lot, piece or parcel of land separately assessed and on each assessment of personal property, which must go to the City.

Section 78: Sale of Real Property For Tax Liens. On the day fixed for the sale, or on some subsequent day to which he may have postponed it, of which he must give notice, the Tax Collector, between the hours of ten o'clock A. M. and three P. M., must commence the sale of the property advertised, commencing at the head of the list and continuing until completed; he may postpone the day of commencing the sale or the sales from day to day; but the sale must be completed within three weeks from the day first fixed.

Section 79: Right to Pay Taxes And Costs on Day of Sale—How Sale Conducted. On the day of sale, the owner or person in possession of any real estate offered for sale for taxes and costs

due thereon, may pay the taxes and costs due; but in case the taxes and costs are not paid by the owner or person in possession, or by some one in behalf of such owner or person in possession, then he shall sell said real estate to the person who will take the least quantity of land, or in case an undivided interest is assessed, then the smallest portion of the interest and pay the taxes and costs due, including one dollar for the duplicate certificate of sale to the purchaser. Out of said one dollar, the Tax Collector shall pay the charge, if any, of the County Recorder for filing the certificate of sale; the balance, if any, shall go to the City. But in case there is no purchaser in good faith for the property, then when the property is offered thereafter for sale, and there is no purchaser in good faith for the same, the whole amount of the property assessed shall be struck off to the City of Alameda, as the purchaser; no charge shall be made for the duplicate certificate when the City is the purchaser.

Section 80: Necessity to Pay For Property Struck Off Before Following Day.. The purchaser does not pay the taxes and costs before ten o'clock A. M. of the following day, the property on the next sale day before the regular sale must be resold for taxes and costs, and the bid of any person refusing to make the payment for the property purchased by him must not be received on the sale of any property advertised in the delinquent list of that year.

Section 81: Certificates of Sale—Form Entering Descriptions of Land In Book. After receiving the amount of the taxes and costs, the Tax Collector must make out in duplicate a certificate dated on the day of sale stating, when known, the name, the amount of the assessment and year, and specifying the time when the purchaser would be entitled to a deed. The certificates must be signed by the Tax Collector, and one copy delivered to the purchaser and one copy filed in the office of the County Recorder. The Tax Collector must, in a book provided for that purpose, enter a description of the land sold corresponding to the description in the original assessment book, the date of sale, the purchaser's name and the amount for which it was sold, and must regularly number the descriptions on the margins of the book and put a corresponding number on each certificate.

Section 82: Transfer of City's Lien to Purchaser on Filing Certificate. On filing the certificate with the County Recorder, the lien of the city vests in the purchaser and is only divested by the payment to him, or to the Ctiy Treasurer for his use, of the money necessary to redeem as herein provided.

Section 83: Redemption From Tax Lien—How and When Done. A redemption of the property sold may be made by the owner or any party in interest, within five years from the date of the sale, by payment to the purchaser, or to the City Treasurer for his use, or to the City Treasurer for the City when the City is the purchaser, of the purchase money together with interest thereon at the rate of seven per cent per annum from the date of sale and also penalties as follow: Ten per cent of the purchase price if redeemed within six months from the date of sale; twenty per cent if redeemed within one year therefrom; forty per cent if redeemed within two years therefrom; sixty per cent if redeemed within three years therefrom; eighty per cent if redeemed within four years therefrom, and one hundred per cent if redeemed within five years therefrom. Redemption must be made in lawful money of the United States, and when made to the City Treasurer he must credit the amount paid to the person named in the Tax Collector's certificate, and pay it on demand to the person or his assignees. The Treasurer shall also give to the person redeeming the property a certificate to the effect that the property has been redeemed, stating by whom the redemption is made, the amount received for such redemption and the date when the redemption is made.

Section 84: Right to Make Partial Redemption. A partial redemption may be made, separately from the whole assessment, of any lot, piece, or parcel of land contained in any assessment, if such lot, piece, or parcel has a separate valuation on the assessment book.

Section 85: City Treasurer to Report Persons Entitled to Redemption Money. The City Treasurer must report to the Council as often as once in three months the names of all persons entitled to redemption money, and the amount due to each.

Section 86: Entry of Fact of Redemption. On presentation of the receipt of the person named as purchaser in the certificate

of sale or his assignee, for the redemption money, the Treasurer must mark the word "redeemed," the date of redemption, and by whom redeemed, in the margin of the delinquent sale book.

Section 87: Execution of Deed If Not Redeemed—Form and Effect of Deed. If the property is not redeemed within the time allowed by law for its redemption, the Tax Collector or his successor in office must make to the purchaser or his assignee a deed of the property, reciting in the deed the date of sale, the name of the person assessed, when known, a description of the land sold, the amount paid therefor, that it was sold for taxes, giving the amount and the year of the assessment, the time when the right of redemption expired, and that no person has redeemed the property during the time allowed for its redemption. In all cases where land has hitherto been sold by the City of Alameda for delinquent taxes the redemption or the deed therefor shall be made in the manner and upon the terms provided by law at the time of such sale.

The deeds provided for in this section shall have the same force and effect as, and the recitals therein shall have the same degree as evidence as the recitals in like deeds executed by the County Tax Collector, after sale of property for state and county taxes.

Section 88: Sale of Property Purchased By City At Tax Sale —How Done. Whenever the City shall become the owner of any property sold for taxes, and the deed to the City has been recorded in the Recorder's office of the County of Alameda, the Tax Collector of the City if directed by the Council, shall sell such property in the manner following: He must give notice of such sale by first publishing a notice for at least three successive weeks in some newspaper published in the City of Alameda. Such notice must state specifically the place of, and the day and hour of sale, and shall contain a description of the property to be sold and shall also embody a copy of the authorization received from the Council. At the time set for such sale, the Tax Collector must sell the property described in the authorization and said notices, at public auction, to the highest bidder for cash, in lawful money of the United States; but no bid shall be received or accepted at such sale for less than the amount of all the taxes levied upon such property, and all interests, costs, penalties, and expenses up to the date of such sale. The expense of the publication of the

notice herein required shall be a charge against the City. On receiving the amount bid, the Tax Collector must execute a deed to the purchaser, reciting the facts necessary to authorize such sale and conveyance, which deed shall convey all the interest of the City in and to such property, and shall be prima facie evidence of all facts recited therein.

Section 89: Acknowledgment of Deeds By Tax Collector. For acknowledging any of the deeds above referred to, the Tax Collector shall collect from the purchaser the sum of three dollars, or in case a deed in proper form is prepared and presented by the purchaser, the Tax Collector shall collect the sum of one dollar, but no charge shall be made for such deed when the City is the purchaser.

Section 90: Refund of Taxes Illegally Collected. Any taxes erroneously or illegally collected may, by the order of the Council, be refunded by the Tax Collector.

Section 91: Duty of Tax Collector Where Property Assessed Twice. When the Tax Collector discovers that any property has been assessed more than once for the year, he must collect only the tax justly due, and make return of the fact under affidavit to the Auditor.

Section 92: Effect of Discovery of Irregular Assessment Before Sale. If the Tax Collector discovers before the sale that, on account of irregular assessments, or of any other error, any land ought not to be sold, he must not offer the same for sale, and the Council must cause the Assessor to enter the uncollected taxes upon the assessment book of the next succeeding year, to be collected as other taxes thereon.

Section 93: Immateriality of Misnomer of Owner on Tax Sale. When the land is sold for taxes correctly imposed as the property of a particular person, no misnomer of the owner, or supposed owner, or other mistakes relating to the ownership thereof, affects the sale or renders it void or voidable.

Section 94: Effect of Assessment Valid And Void In Part. Whenever property is advertised for sale for the non-payment of delinquent taxes, and the assessment is valid in part and void for the excess, the sale shall not for that cause be deemed invalid, nor any grant subsequently made thereunder be held to be insuf-

ficient to pass a title to the grantee, unless the owner of the property, or his agent, shall, not less than six days before the time at which the property is advertised to be sold, deliver to the Tax Collector a protest in writing, signed by the respective owner or agent, specifying the portion of the tax which he claims to be invalid, and the ground upon which said claim is based.

Section 95: Effect of Protest Against Sale As Void In Whole or Part. In case any owner of property advertised to be sold for delinquent taxes shall, at least six days before the time advertised for the sale to take place, deliver to the Tax Collector his protest, in writing, against such sale, signed by himself or his agent, claiming that the assessment is void in whole or in part, and if in part only for what portion, and in either case specifying the grounds upon which such claims is founded, it shall be the duty of the Tax Collector, either, first, to sell the property for the whole amount appearing upon the delinquent assessment book, or, second, to withdraw the property from sale and report the case to the Council for its direction in the premises, and in such case the Council may either direct the foreclosure of the lien of such tax by action or direct the Tax Collector to proceed with the sale.

Section 96: Subsequent Assessment of Property Purchased By City At Tax Sale. In case property assessed for taxes is purchased by the city pursuant to the provisions of Section 79, it shall be assessed for taxes for each succeeding year until deeded, in the same manner as if it had not been so purchasd. But it shall not be exposed for sale; and the sale thereof, under such assessment for succeeding years shall be adjourned until the time of redemption under the original sale shall have expired.

Section 97: Effect of Subsequent Assessments on Redemption, In case property is sold to the city as purchaser, pursuant to Section 79, and is subsequently assessed pursuant to the provisions of this ordinance, no person shall be permitted to redeem from such sale, except upon payment also of the amount of such subsequent assessment, cost, fees, and interest.

Section 98: Harmless Omissions or Errors In Description or Assessment—How Cured. Omissions, errors or defects in description, or defects in form in the assessment book when it can be

ascertained therefrom or from the Assessor's map or block books, or from the list furnished by the property owner, what was intended to be assessed, or what should have been assessed, may, with the written consent of the City Attorney, be supplied or corrected by the Assessor at any time prior to the sale for delinquent taxes, and after the original assessment was made. When the omission, error or defect has been carried into a delinquent tax list, or any publication, the list or publication may be republished as corrected, or notice of the correction may be given in a supplementary publication, provided that the republication must be made in the same manner as the original publication, and for not less than one week.

Section 99: Use of Abbreviations, Initials and Figures.. In the assessment of land, advertisement and sale thereof for taxes, initial letters, abbreviations, and figures may be used to designate the townships, range, section or parts thereof, and for any other purpose when a written or printed explanation of such abbreviation, or initial letters or figures shall appear on each page of the assessment book where the same is used.

Section 100: Effect of Mere Informality. No assessment or act relating to assessment, or collection of taxes is illegal on account of informality, nor because the same was not completed within the time required by law.

Section 101: Lieu of Newspaper Advertising. In lieu of any newspaper advertising herein provided for, a bulletin containing such matter as may be required by law to be advertised, may, by order of the Council, be issued and published in accordance with the provisions of Section 11 of Article II of the Charter of the City of Alameda.

Section 102: Adoption of Title IX, Part III Pol. Code. The provisions of Title IX, Part III of the Political Code of the State of California in so far as the same are not inconsistent or in conflict with the provisions of this ordinance or the Charter of the City of Alameda, and in so far as the same are applicable to the system of revenue established by this ordinance, are hereby adopted and made a part of this ordinance.

CHAPTER IV.

STREETS, PARKS AND OTHER PUBLIC PLACES.

ARTICLE 1—STREETS IN GENERAL.

Section 103: The Dedication of Public Streets. All streets, lanes, places, avenues, and portions thereof, including extensions in length and width, within the corporate limits of the City of Alameda, which have been dedicated by the owners thereof to public use, or which have been opened or offered by the owners for the use of the public, are hereby accepted and declared to be open public streets of said city.

All the streets represented on the map made by Alfred Bannister and received and filed the 24th day of September, 1872, and signed by said Bannister, civil engineer, and Henry Robinson, President of the Board of Trustees, are hereby declared public streets.

Section 104: Ascertainment and Construction of Datum Line. The datum line or plane of reference of all street grades is mean high tide, as determined by the Board of Engineers of Oakland.

Section 105: How Streets and Crossings Must Be Constructed. First—Said street, or portion thereof, must have gas pipes and water pipes laid therein, and a vitrified ironstone sewer with flush tanks, manholes, and Y branches where the same are required, and side connections with each house fronting on said street—all laid in accordance with city ordinances and specifications.

Second—The roadway must be curbed with cut stone or cement; must have rock or concrete gutters constructed on both sides thereof, and be graded to the official grade and macadamized with hard, tough, broken trap rock, or graveled, in accordance with such specifications therefor as the said Council has adopted, or shall from time to time adopt; or said roadway must be paved with bituminous rock, containing not less than 14 per cent of bituminous matter, of a thickness of not less than one and one-half inches, laid upon a concrete foundation of not less than four inches in depth, composed of cement, sand and broken rock, in accordance with such specifications therefor, or upon such other foundation as this Council shall approve.

Third—No street crossing shall be accepted unless such crossing be properly sewered, with manhole, and is properly graded and macadamized or paved with bitumen, as prescribed for streets, and has the corners completed with curved cement, or cut stone curbing and gutters, and has iron pipe culverts and cement bridges and all completed in accordance with city specifications therefor.

Section 106: Requirements For Acceptance. No street, or portion thereof, shall be accepted until completed in the foregoing particulars and until it has been referred to the Street Committee, or the Superintendent of Streets, and a report been received of its condition.

Section 107: Excepting of Railroad Track Way and Curbing. Acceptance of a street or crossing, or portions thereof, shall not be deemed an acceptance of that portion required to be kept in order or repair by any person or company having railroad tracks thereon.

Section 108: Partial or Conditional Acceptance. A street may be partially, or conditionally, accepted in whole or in part, under such terms as the City Council shall deem reasonable and in conformity with law.

Article 2—OBSTRUCTIONS AND INTERFERENCE WITH PUBLIC STREETS.

Section 109: Necessity For Permit to Place Building Material and Other Obstructions on Streets. No person shall place or cause to be placed on any street, sidewalk or public place in the City of Alameda, any material, machinery or apparatus for building, paving or other purposes and allow the same to there remain for over 24 hours without a permit from the Street Superintendent. Such permit shall specify the portion of the street or sidewalk to be used and the period of such use, which period shall not be longer than may be reasonably necessary and may be extended only in case of necessity.

Section 110: To Whom Permit to Be Granted—$20 Deposit As Guarantee. The permit aforementioned and required shall be granted to the owner of the lot, or to the builder, or contractor who wishes to use street space, upon depositing with the Street

Superintendent the sum of twenty ($20.00) dollars as a guarantee to the City of Alameda that the permittee will remove or cause to be removed, all dirt, debris and materials of any kind from the street to the satisfaction of the Street Superintendent, immediately upon the completion of the proposed work, or at such times prior thereto, when in the judgment of the Street Superintendent the public interest and convenience will be subserved by the removal of the same, or any portion thereof; and that he will repair all damage done to street, gutter, curb or sidewalk through negligence in protecting same.

Section 111: Failure of Permittee to Remove Debris. Upon the failure or negligence of the permittee to remove or cause to be removed to the satisfaction of said Street Superintendent such dirt, debris or materials as aforesaid, within three days after being notified so to do by said Street Superintendent, the money so deposited as a guaranty or so much thereof as may be necessary, shall be used by said Street Superintendent in the removal of such dirt, debris or materials.

Section 112: Obedience to Directions of Street Superintendent. Every person having control of any such material, machinery or apparatus, shall obey every lawful direction of the Street Superintendent as to such building material, whether contained in said permit or made after issuance thereof, and shall comply with the rules hereinafter set forth.

Section 113: Placing of Mortar or Concrete on Streets or Sidewalks.. No person shall place or cause to be placed anywhere upon the surface of the roadway of any public street, in this City, paved with either bituminous rock or with asphalt, or upon the surface of any improved sidewalk therein, either mortar or concrete in a moist state for any purpose whatsoever, or mix or prepare the same upon such roadway or sidewalk, unless such mortar or concrete be placed, mixed or prepared in a tight box upon a close fitted platform, or bed, constructed and maintained to the satisfaction of the Street Superintendent.

Section 114: Rules Governing The Placing of Building Material and Other Obstructions on Street or Sidewalk. The following rules relating to the subject of this article are hereby adopted and shall be observed.

No. 1. Such permits shall not authorize the occupation of any sidewalk or street, or part thereof, other than that immediately in front of the premises of the building for the construction of which said permit is issued. During the progress of building operations at least six feet of the sidewalk pavement covered by said permit shall be at all times kept clear of rubbish and dirt for the free and unobstructed use of pedestrians.

No. 2. Whenever the conditions are such that the sidewalk must be occupied or removed, a temporary plank walk not less than three feet in width, with substantial railings shall be constructed around the outside of the obstruction and maintained during the obstruction of the sidewalk.

No. 3. If there are excavations on either side of the sidewalk said sidewalk must be protected by substantial railings not less than 2½ feet high from the floor of said walk. Said railings to be maintained so long as such excavations continue to exist.

No. 4. It shall be permitted for the purpose of delivering material to the basements of buildings, to construct elevated temporary sidewalks not less than six feet in width and of a height not exceeding four feet above the curb level of the street; and in case the sidewalk is so elevated it shall be provided with good substantial steps at each end of the same, and shall have railings as before specified on both sides thereof.

No. 5. All approaches to excavations and depressions must be barricaded.

No. 6. If the building to be erected is more than three stories in height and is set at or near the street line, there shall be built over such sidewalk a roof having a frame work and covering composed of supports and stringers of 3x12 timbers, not more than four feet from centers, covered with two layers of two-inch plank. Said roof shall be maintained as long as material is being used or handled on said street front and above the level of the sidewalk.

No. 7. In all cases such temporary sidewalks, railings and approaches and the roofs over same shall be made as regards ease of approach, strength and safety, to the satisfaction of the Street Superintendent.

No. 8. All gutters and waterways must be bridged over and kept clear of obstructions to the free passage of water.

No. 9 Material or other obstructions must not be placed within twelve feet of any hydrant of the city, used for fire purposes.

No. 10. Lighted lanterns must be displayed and maintained at each end of every pile of material or other obstructions in the street, and at each end of every excavation, from 6 p. m. to 6 a. m.

No. 11. Earth taken from excavations and rubbish taken from buildings must not be stored either upon sidewalks or roadways of streets, and must be removed from day to day as rapidly as produced. When dry rubbish, apt to produce dust, is being handled, it must be kept wetted down, so as to prevent its being blown about by the wind.

No. 12. Whenever it becomes necessary for the safety of pedestrians to erect a fence in front of a building under construction, said fence if built upon the street or sidewalk, shall not exceed six feet in height and shall contain no advertising matter.

No. 13. The occupation of the street for the storage of building materials shall never exceed in front of any one building, one-third of the roadway of the same, and in streets containing railroad tracks, such occupation shall not come within four feet of such railroad track.

Section 115: Removal of Obstructions on Streets By Street Superintendent. The Superintendent of Streets is hereby authorized and empowered to remove, or cause to be removed, to any place selected by him, all materials of whatever nature, which obstruct the free use of any street, lane or sidewalk in the City of Alameda, or which render the same dangerous to the public.

Section 116: Recovery of Materials Removed. The owners of materials so removed may recover the same before the same are sold by the Superintendent of Streets, on payment of the actual costs and charges of such removal and other incurred expenses.

Section 117: Depositing Broken Glass, Dirt, Rubbish, Etc., In The Streets, or Manholes or Sewers, Etc. No person shall, in the City of Alameda, throw into or deposit upon any public street, highway, or grounds, or upon any private premises, or anywhere except in such places as may be designated for that purpose by the Superintendent of Streets, or provided by ordinance, any glass broken ware, dirt, rubbish, garbage or filth. No person shall empty or throw or deposit in any cesspool or manhole or

flushing hole of any sewer, any glass, broken ware, hay, straw, dirt, rubbish, garbage, filth, butcher's offal, blood or brine, or any animal or vegetable matter.

Section 118: Injuring Lamp-post. No person shall, in the City of Alameda, break, injure or deface any portion of any public lamp-post or electrolier or break any globe or attachments to said lamp-post or electrolier, extinguish during the night any public light or any light maintained at any place for public convenience or safety.

Section 119: Injuring Street Guides. No person, in said city, shall cause the removal of any street guide or any portion thereof; obliterate, deface, destroy, or interfere with any street guide, or any portion thereof.

Section 120: Dispersing Crowds On Public Streets By Police. Whenever the free passage of a public street or sidewalk of said city, or of any part of such streets or sidewalks shall be obstructed by a crowd of people, the persons composing such crowd shall disperse or move on when directed so to do by the Chief of Police, or any police officer of said city.

Section 121: Allowing Tree Branches to Extend on Sidewalks. No person, in the City of Alameda, shall permit branches of trees or shrubs to extend within ten feet from the ground over any portion of the sidewalk or one-half of the street next to or in front of premises owned or occupied by him, except that portion within four feet from the curb line thereof.

Section 122: Animals Grazing on the Streets. No person owning or having the control of, or being the keeper of, any horse, mule, cow, goat, sheep, hog, ass, or domestic fowl, shall permit the same to run at large upon or graze or feed upon any public street or unfenced lot in the City of Alameda.

Section 123: Mutilating Trees. No person shall cut down, remove or mutilate any tree upon any public street or square of the City of Alameda, unless he shall have first obtained permission of the Superintendent of Streets.

Section 124: Cultivation of Vegetables and Garden Truck in Open Public Streets. No person shall plow any portion of an open public street or avenue in the City of Alameda except for

the purpose of grading the same under authority duly had and obtained from the City Council of said city and no person shall cultivate, sow or plant therein any vegetables or garden truck.

Section 125: Driving Animals on Streets. No person shall drive or cause to be driven upon any public street or sidewalk of the City of Alameda any loose cattle, horses, mules, hogs, sheep or goats.

Section 126: Barbed Wire Fences. No person shall, upon any property owned or leased by him, and contiguous to or along any street, court, lane, public thoroughfare or sidewalk, in the City of Alameda, construct, set up or maintain any barbed wire or barbed wire fence or inclosure unless the same shall be secured, constructed, set up or maintained at least six feet above the ground.

Section 127: Hanging of Banners Over or Across Streets or Avenues. No person shall hang or display and no person shall permit to be hung, displayed or maintained in front of any premises owned, occupied or controlled by him in the City of Alameda, over or cross any street, avenue or sidewalk therein, any banner or other similar device used for advertising. (As amended by Ord. No. 2. N. S.)

Section 128: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 3—PROTECTION OF PUBLIC PARKS AND PLACES.

Section 129: Placing Control, and Supervision of. The Superintendent of Streets is hereby vested with the supervision, control and management of the trees and shrubs upon the public streets and highways of the City of Alameda and may adopt regulations for the setting out, care and maintenance of such trees and shrubs. Said Superintendent of Streets may also cause any such trees or shrubs to be removed, trimmed, pruned or cut whenever in his judgment the same may be necessary for the public good.

Section 130: Necessity for Permit to Plant, Trim or Cut. No tree or trees, shrub or shrubs, shall be planted, or set out upon any public street or place in the City of Alameda, and no tree or

trees, shrub or shrubs, located upon any public street or place shall be removed, trimmed, pruned or cut without a permit first had and obtained from the Superintendent of Streets so to do. When such permit is for the setting out of trees it may prescribe the number, kind and distance apart thereof, and when for the removal, trimming, pruning or cutting thereof may prescribe the number of trees to be effected thereby and the manner and the performance of the work. And such permit shall be operative only when exercised subject to such regulations as said Superintendent of Streets may adopt for the purpose as hereinbefore mentioned.

Section 131: Breaking or Injuring Flowers, Trees, Etc., In Public Parks or Places. No person, other than the persons in charge of the same, shall cut, break or otherwise injure or cull flowers from any bush, shrub or tree growing in any public park or public place in the City of Alameda.

Section 132: Walking on Grass. No person, excepting gardeners or other persons in charge, shall walk or recline upon any grass plot in any public park or public place in said city.

Section 133: Opening or Closing Hydrants. No person, other than the persons in charge of said park or public place, shall open or close any water hydrant therein.

Section 134: Permitting Animals or Fowls in Public Parks. No person shall permit any dog or other domestic animal or fowl, owned or controlled by him, or in his custody, to enter or remain upon any public park in said city.

Section 135: Injuring Grass Plots, Borders, Etc. No person shall walk, sit upon, or in any manner injure any grass plot, edging of grass, border, or ornamental ground, along any sidewalk or in any park or public place in said city.

Section 136: Prohibiting the Defacement of Public Buildings and Other Property. It shall be unlawful for any person, in the City of Alameda, to write, stamp, affix, mark, or attach any inscription, name, picture, or other thing upon any wall, tower, or other part of any building owned or controlled by the City of Alameda, or upon any fence surrounding or any approach to such building or upon any electrolier, any pole or mast used for the transmission of electricity, owned or controlled by the City of

Alameda. Provided, that this section shall not apply to the acts of mechanics duly authorized to perform work upon any public building.

Section 137: Removing Public Monuments. No person shall in the City of Alameda, cover up, destroy or remove any monument erected or placed by the City Engineer or the Superintendent of Streets.

If it shall become necessary for any person, in the pursuit of any lawful purpose, to have any such monument removed, notice of such necessity shall be given to the City Engineer or Superintendent of Streets. Said City Engineer or Superintendent of Streets shall proceed forthwith, att he cost of the person requiring such removal, to remove such monument, and place the same in its original position as soon as the object shall be attained for which the removal shall have been made.

Section 138: Interfering With Municipal Electric Light or Fire Alarm Systems. It shall be unlawful for any person, other than a public employee in the discharge of his duties, to cut, move, change, injure, deface, or in any manner interfere with any wire, insulator, pole, guy or other apparatus belonging to the Electric Light or Fire Alarm, or Police Signal systems of said city. (As amended by Ord. No. 2, N. S.)

Section 139: Using Electricity Belonging to City. No person in the City of Alameda, other than city employes in the performance of their duties as such employes shall attach any wire or other conductor to any electric wire or conductor owned by said city, or shall open, connect with, or cut into any electric circuit used by said city, or shall by any device or method obtain or use any of the electricity developed or conducted by the appliances owned by said city.

Section 140: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 4—REPAIRING OF STREETS AND PUBLIC PLACES AND LAYING OF GAS AND WATER PIPES THEREIN.

Section 141: Duty of Street Superintendent to Notify Owner. Whenever any portion of any street, lane, alley, court, or place

in the City of Alameda, improved, or any sidewalk constructed thereon, according to law, shall be out of repair, and in condition to endanger persons or property passing thereon or in condition to interfere with the public convenience in the use thereof, it shall be the duty of the Superintendent of Streets of said City to require, by notice in writing to be delivered to them personally, or left on the premises, the owners or occupants of lots or portions of lots fronting on said portions of said street, lane, alley, court, or place, or of said portion of said walk so out of repair as aforesaid, to repair forthwith said portion of sand street, lane, alley, court, or place to the center thereof, or said sidewalk in front of the property of which he is the owner, or tenant, or occupant; specifying in said notice what repairs are required to be made.

Section 142: Owner or Occupant to Make Repairs After Notice. It shall be unlawful for said owner, or occupant, or tenant, of said lot or portion of said lots to neglect or refuse, for the period of three days from the date of the service of the aforesaid notice, to make said repairs, and diligently, and without interruption, to prosecute the same to completion.

Section 143: Removal of Macadam or Surface Dressing of Streets and Laying Down of Water, Gas, or Other Pipes Therein —Indemnity For Damage. No person, firm or corporation shall, in the City of Alameda, tear up, loosen, or remove any portion of the macadam, gravel or other surface dressing of any public street without first giving written notice thereof to the Superintendent of Streets, and depositing with the City Clerk of said city the sum of ten dollars for each thirty square feet, or portion thereof, to be so torn up, loosened or removed, as security for any damage that may be caused thereby, and that the streets shall be left in as good condition as it was before being so torn up, loosened, or disturbed.

Section 144: Under Supervision of Street Superintendent. All such work shall be done under the supervision and to the satisfaction of the Superintendent of Streets, and the materials taken up or removed shall be replaced in accordance with the specifications for first macadamizing or graveling the street, and when pipes are laid the filling of trenches shall be thoroughly

tamped and wet down. The surface dressing shall be rolled or tamped so as to leave no ridge in the paved street. The person or company so removing the surface dressing shall at any time within one year after replacing the same, on demand of the Superintendent of Streets, repeat said work of refitting the macadamizing and do all filling that may be necessary to raise any sunken part of the street above said pipes to the proper grade.

Section 145: Return of Indemnity Deposit. Upon the completion of any of the work above mentioned the Superintendent of Streets shall inspect the same, and if the street is found to be in good condition he shall so certify to the City Clerk, who shall thereupon return the deposit made. In the event of said material not being properly replaced and the street left in good order and condition the Superintendent of Streets may cause the same to be repaired and certify the cost thereof to the City Clerk, who shall deduct that amount from the sum so deposited and return the balance, if any, to the owner.

Section 146: Bond in Lieu of Cash. In lieu of said cash deposit a bond in double the amount required for said deposit, with two good and sufficient sureties, approved by the City Clerk, may be filed with the City Clerk. Said bond to be conditioned that said roadway shall be left in as good condition as the same existed before being torn up or disturbed, and that all materials will be replaced according to the general specifications therefor.

Section 147: Regulating the Laying of Gas and Water Pipes. Except when otherwise ordered by the City Council, all water pipes and conduits in said city shall be laid on the northerly side of streets running in an easterly and westerly direction, and on the westerly side of streets running in a northerly and southerly direction. The pipes and conduits must be laid under the roadway of the street five (5) feet from the curb line of the street, and the top of the conduits and pipes must be at least three (3) feet below the top of the curb line of the street. All gas pipes, unless otherwise so ordered must be laid on the opposite side of the streets from said water pipes. When pipes or conduits cross the line of gas pipes, they must be laid so as not to interfere with such gas pipes.

Section 148: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 5—CONSTRUCTION AND REPAIR OF SIDEWALKS.

Section 149: Establishing Grade of Sidewalks. The official surface grade of all public stone, artificial stone, and wooden sidewalks in the City of Alameda, shall be two inches above the official curb grade at the curb lines, and from thence shall rise to a uniform grade of one-quarter of an inch to the foot, to the private property lines.

Section 150: General Width of Sidewalks. The with of every sidewalk, unless otherwise ordered, must be one-fifth of the total width of the street.

Section 151: Construction or Repair of Sidewalks. No person shall construct, alter, or repair any sidewalk in said city without having first obtained permission therefor from the Superintendent of Streets.

Section 152: Manner of Construction. No person shall construct or repair any sidewalk in said city in any manner other than in accordance with the specifications therefor adopted, or which may from time to time be adopted, by the City Council, or unless the same shall be constructed upon the official sidewalk grade.

Section 153: Duty to Cease Work Thereon on Request of Street Superintendent. Whenever any difference of opinion may arise as to whether or not any sidewalk or street is being improved according to the specifications therefor, or whether or not the materials being used in such construction or repair are suitable, it shall be the duty of the person or persons so constructing or repairing such street or sidewalk, to cease work thereon immediately upon being requested so to do by the Superintendent of Streets of said city and refrain from further work thereon until consent is obtained from the official who requested said work to cease, or from the City Council.

Section 154: Specifications For Construction of Cement Sidewalks and Driveways. No person shall construct any cement

sidewalks or driveways in the City of Alameda without conforming to the provisions of this article.

Section 155: Width and Grade of Cement Sidewalks. Where the official width of sidewalk is greater than twelve (12) feet no cement sidewalk must be laid thereon less than six (6) feet in width, except through special permission of the City Council.

Where the official width of sidewalk is fixed at twelve (12) feet or less, no cement sidewalk must be laid thereon less than five (5) feet, in width, except where the official width or sidewalk is less than five (5) feet, in which event the cement sidewalk must be laid from the curb to property lines and wherever the sidewalk runs to the curb, all wooden curbing must be cut out and a cement curb must be laid in conjunction with the sidewalk.

The walk shall have a slope toward the curb of one-fourth inch to one foot, and shall be placed to such grade that if continued to the curb said walk will be two inches above the grade of the curb, if said curb is of wood, and to the same grade of the curb, if said curb is of granite, cement or concrete.

Section 156: To Be Constructed According to Lines and Grades of City Engineer. The entire work shall be laid and constructed to the lines and grades as set by the City Engineer.

Section 157: Construction Under Supervision of Street Superintendent.. All work shall be done under the direction, supervision and to the satisfaction of the Street Superintendent of the City of Alameda.

All material used in the work shall comply with these specifications and be to the satisfaction of the Street Superintendent, Samples of all said material, and information in regard thereto, must be furnished to said Street Superintendent, if required by him, and representatives of the Street Superintendent shall be given facilities for the inspection of materials and processes used in connection with the work.

Section 158: Rejected and Surplus Material to Be Removed. All rejected and refuse materials are to be removed immediately from the work and all surplus materials shall be removed from the work within five (5) days after the construction of the sidewalk is complete.

Section 159: Contractor to Place Warning Signals. The Contractor shall provide and maintain such fences, barriers, "Street Closed" signs, red lights, and watchmen as may be necessary to prevent avoidable accidents to the public.

No material or other obstruction shall be placed within twelve (12) feet of fire hydrants, which must be at all times readily accessible to the Fire Department.

Section 160: Supervisory Care of Contractor to Be Exercised. Any overseer, superintendent, laborer or other person employed on the work by the Contractor, who shall perform his work in a manner contrary to these specifications, or who is disorderly, intemperate or incompetent, shall be discharged immediately, and such person shall not again be employed on tahe work.

The Contractor shall be constantly on the work during its progress or shall be represented by a foreman who is competent to receice and carry out any instructio that may be given him by the proper authorities, and said Contractor will be held liable for the faithful observance of any instructions which may be delivered to him or his representatives on the work.

Section 161: Kind of Cement. All cement used on the work shall be hydraulic Portland cement, pulverulent and free from lumps. Cement shall be delivered in the manufacturer's packages with the brand and name of the manufacturer plainly marked thereon and shall be approved by the Street Superintendent.

Section 162: Kind of Sand. Sand, for mortar, shall be clean, sharp, dry, silicious sand, and shall not contain, in all, more than five (5) per cent by volume, of clay, loam, mica, scales, silt or other objectionable inorganic matter, nor more than one (1) per cent of organic matter. It shall be made up of grains whose composition shall be such that at least sixty (60) per cent, by weight, shall pass a twenty (20) mesh screen, not more than eighty-five (85) per cent shall pass a fifty (50) mesh screen, and not more than fifteen (15) per cent shall pass an eighty (80) mesh screen.

Section 163: Kind of Broken Stone. Broken stone, for concrete, shall be sound, tough and have irregular cleavage. It shall be free from clay, loam, or other foreign material, shall have clean, fresh surfaces, and shall be that portion of the crusher run that passes through a circular screen having openings one and

one-quarter (1¼) inches in diameter and is retained upon a circular screen having openings one-eighth (⅛) of an inch in diameter.

Section 164: Kind of Concrete. Concrete shall be a mixture of the cement, sand and broken stone hereinbefore specified, mixed in the proportion by volume of one (1) cubic foot of cement, two (2) cubic feet of sand, and four (4) cibic feet of broken stone. In measuring the cement it is to be dropped from a shovel into the measuring box with a fall of three (3) feet. The mixing may be either by hand or by machines, but must result in a thorough and uniform admixture of the several ingredients. During the mixing, water is to be added by spraying (not played on in a stream) till the concrete is so wet that free water will be brought to the surface in tamping. Concrete shall be placed in the work as soon as practicable, and no concrete that has been wet longer than forty (40) minutes shall be used.

Section 165: Character of Surface Layer. The surface layer shall consist of one (1) part of cement to one (1) part of screened gravel, mixed dry and then made into a mortar by adding a sufficient quantity of water.

The surface layer shall be colored by adding the best quality of lampblack to the gravel before mixing it with the cement, in the proportion of one (1) pound of lampblack to four (4) cubic feet of gravel.

Section 166: Extent of Excavation. The excavation for the concrete shall extend six (6) inches outside of the lines of walk on each side. Where the ground is of adobe the same shall be excavated to a depth of ten (10) inches below the subgrade of the cement work. If the adobe is less than ten (10) inches thick, the same shall be wholly removed. The cavity thus formed shall be filled with broken rock, gravel, sand or earth other than the adobe, which filling shall be tamped thoroughly to subgrade of cement work, shall be smooth and even on surface, and shall be thoroughly sprinkled with water.

Where there is no adobe, the ground shall be made solid and smooth to subgrade by tamping; all roots and perishable materials shall be removed.

Section 167: Manner of Construction. A layer of concrete as specified shall be placed on the subgrade and thoroughly tamped. This layer shall be two and one-half (2½) inches thick after tamping.

Before the layer of concrete has set, the surface layer, one-half (½) inch thick of mortar as specified, shall be put on and troweled smooth.

The surface of the walk shall be marked off in squares according to the direction of the Street Superintendent.

Where a driveway crosses the sidewalk, the walk must be rough finished for a lineal distance of at least eight feet, and must be at least four (4) inches in thickness. The driveways must extend to the gutters and across same to a distance of at least three (3) feet on roadway side of curb line. They must gradually descend in grade to conform to bottom grade of gutters and also to conform to cross section of gutters and crown of finished roadway adjacent to gutters.

The surface of the walk and driveway, immediately after finishing, shall be protected from the sun and frost, and after setting shall be covered with a coating of moist earth. This earth covering shall be left in place and moistened for one week, after which it shall be removed and the surface of the walk swept clean.

Section 168: Bids for Sidewalks Constructed By the City. Bidders for the construction of sidewalks or driveways on behalf of the City of Alameda shall state prices per square foot of cement sidewalk to be laid.

Section 169: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 6—OBSTRUCTIONS ON OR INTERFERENCE WITH USE OF SIDEWALKS.

Section 170: Erection and Maintenance of Wooden Awnings. No person, firm or corporation shall erect or cause to be erected any wooden awning which shall project over any sidewalk or portions of a sidewalk or street of the City of Alameda.

Section 171: Removal of Unsafe Awnings. Every person, firm or corporation owning, occupying or controlling any build-

ing within the fire limits of the City of Alameda, in front of which a wooden awning which is unsafe or in a dangerous condition projects over the sidewalk or portion of the street, shall cause the same to be removed within seven (7) days after being notified so to do by the Superintendent of Streets.

Section 172: Respecting Altitudes of Awnings, Etc. No person shall construct an awning or any other projection, or suffer the same to remain, at an altitude of less than seven and one-half feet, over any sidewalk in front of premises owned, occupied, or controlled by him in the said City of Alameda.

Section 173: Spinning of Tops On Stone Sidewalk. No person shall spin any top having a metal peg, on any public stone or artificial stone sidewalk in the City of Alameda.

Section 174: Throwing of Hard Substances on Stone Sidewalks. No person shall throw any hard substance or material upon or against any public stone or artificial stone sidewalk in the City of Alameda.

Section 175: Use of Bicycles And Skates on Stone Sidewalks. No person shall use any bicycle, tricycle, or velocipede upon any public stone or artificial stone sidewalk in the City of Alameda, unless the wheels, thereof are bound with rubber tires, and the driving wheel thereof not over 20 inches in diameter. No person shall skate on any portion of Park and Webster Streets in the City of Alameda.

Section 176: Obstruction of Sidewalk By Boxes, Barrels, Etc. No person in the City of Alameda shall place or cause to be placed anywhere upon any public street, way, or sidewalk, and no person owning, occupying, or having the control of any premises shall suffer to remain in front thereof upon the sidewalk, or portion of the street or way next to such premises, any boxes, bales, barrels, wood, lumber, goods, wares, and merchandise, or any other thing obstructing the free use or passage of such street, way, or sidewalk. Provided, however, that any person may display goods, wares and merchandise on that portion of the sidewalk within two and one-half feet from his property line and also provided that goods, wares and merchandise in transit may be allowed on the outer three feet of the sidewalk for a period not exceeding three hours.

Section 177: Protection of Sidewalk Curbing. No person shall cause any vehicle, drawn by horse, ass or mule or any motor vehicle to pass over any wooden or cement sidewalk curb in said City, unless said curb is guarded so as to be protected from injury.

Section 178: Misdemeanor. Any person violating the provisions of this article shall be deemed guilty of a misdemeanor.

Article 7—TRAFFIC AND TRAVEL OVER PUBLIC STREETS.

Section 179: Term Vehicle Defined. For the purpose of this Ordinance the word vehicle shall be held to include saddle horses with their riders, horses hitched to vehicles, led horses, automobiles, motor vehicles, of all kinds and everything on wheels except street cars or interurban cars, toy wagons, children's bicycles and the like, invalid chairs and baby carriages or conveyances.

Section 180: Term Horse As Used Herein. The word horse shall be held to include any animal used as motive power for any vehicle.

Section 181: Term Sidewalk As Used Herein. The word Sidewalk shall be held to include the space between the property line and the outer edge of the curb as located by Ordinance of the City of Alameda.

Section 182: Term Driver As Used Herein. The word Driver shall be held to mean the rider or driver of a horse, the rider of a wheel or motorcycle and the operator of a motor vehicle, automobile or car.

Section 183: Article Not Applicable to Street Cars or Vehicles On Fixed Tracks. The provisions of this article shall not be held to apply to street cars or any vehicle which from its nature and construction is required to proceed in, upon and along the streets on fixed tracks.

Section 184: Limits of District No. 1. District Number 1 shall embrace the following streets: All of Park Street from the south line of San Jose Avenue to the bridge at the north end of street, and all streets and avenues running east and west from and including the south side of Lincoln Avenue to and including the

south side of San Jose Avenue from the west line of Walnut Street to the east line of Regent and Everett Streets.

Section 185: Limits of District No. 2. District Number 2 shall embrace the following streets: Fifty feet east and west of the property line of Webster Street from the south line of Central Avenue to the north line of Eagle Avenue. District No. 2 shall embrace 150 feet east and west of the center line of Webster Street.

Section 186: General Rule of Road When Not Overtaking Or Passing Other Vehicles. Every vehicle except when overtaking and passing another vehicle shall keep to the right and shall travel on the right of the center line of the street and as near to the curb as practicable.

Section 187: Driver of One Vehicle Overtaking Another. Every driver of a vehicle overtaking and passing another vehicle going in the same direction shall in doing so pass on the left side of the vehicle so overtaken and passed.

Section 188: Driver of Vehicle About to Be Passed or Overtaken. When requested or signalled so to do any driver of a vehicle traveling on any street or public way shall as soon as practicable turn to the right, so as to allow an overtaking and passing vehicle free passage to the left of the overtaken vehicle.

Section 189: Driver Wishing to Stop or Change Course. The driver of any vehicle wishing to stop his vehicle or change his course of travel shall before doing so signify such wish to any person or persons in his rear by a signal which shall plainly indicate an intention and desire to stop such vehicle or change its course of travel.

Section 190: Driver Turning to Right Into Another Street. Every vehicle turning to the right into another street shall keep as near to the right hand curb as possible and every such vehicle turning to the right shall have the right of way over vehicles traveling in the direction to which such vehicle is turning.

Section 191: Driver Turning to Left Into Another Street. Every vehicle turning to the left into another street shall keep to the right of the center line of the intersection of such streets,

and such vehicle turning shall give the right of way to vehicles traveling in the direction to which such vehicle is turning.

Section 192: Driver Starting or Turning From Curb. No vehicle standing at or alongside of the curb of any street or public way shall start or turn from such curb until the driver thereof shall have given a signal which shall plainly indicate his intention and desire to start or turn from such curb.

Section 193: Right of Way of Vehicles Traveling Easterly or Westerly. All vehicles traveling in an easterly or westerly direction shall have the right of way over those traveling in a northerly or southerly direction.

Section 194: Right of Way of Fire and Police Departments United States Mail, and Emergency Vehicles. The apparatus and all vehicles of the Fire Department, all vehicles of the Police Department, all vehicles carrying United States mail, all ambulances and other vehicles carrying sick or injured persons, and all emergency repair wagons shall have the right of way over all other vehicles and through all processions, and shall be exempt from provisions of Section 204 of this Ordinance.

Section 195: Duty of Approach of Fire or Police Vehicles. Upon the approach of any of the apparatus or vehicles of the Fire Department or Police Department when responding to a call and when a signal gong is being sounded every street car within 100 feet shall immediately stop and every vehicle shall immediately stop and every vehicle shall immediately move to a position as near the right hand curb as possible and remain there until such apparatus or vehicle has passed.

Section 196: Duty Near Fire Hydrant. No vehicle shall be left standing nor any horse left hitched within 25 feet of any fire hydrant for any period of time whatever.

Section 197: Time Allowed Vehicles to Be Backed Up to Curb. within the district designated as District No. 1 no vehicle shall be left backed up to the curb except while such vehicle is being actually loaded or unloaded and then only when the horse or horses are swung around at right angles to the vehicle and facing in the direction in which traffic is moving on the side of the street on which the vehicle is standing. The time allowed for loading and

unloading within the limits of this district except in cases of emergency shall in no case exceed a reasonable length of time.

Section 198: Necessity to Be Loading or Unloading When Backed Up to Curb. No vehicle shall remain backed up to the curb except while being actually loaded or unloaded on any of the streets of the City of Alameda.

Section 199: Speed Limit Over Crossings and Around Corners. No vehicle shall be driven over any crossing or intersection of streets or around a corner of a street at a greater speed than 6 miles an hour within the limits of District Numbers 1 and 2, and all vehicles must at all times be handled with due regard for the conditions of traffic at the time and place, and the safety of pedestrians, and all vehicles of whatever description shall be subject to the orders of the Police Officer on duty in that vicinity.

Section 200: Duty on Approach of Car or Train to Station. Upon the approach of any car or train of cars at any railroad station in the City of Alameda, every vehicle within 150 feet of such station, shall immediately move to a position as near the right hand curb as possible and remain there until such car or train of cars has passed.

Section 201: Stopping Vehicles In Street. Except in cases of emergency or when ordered to do so by a public officer, or for the purpose of allowing another vehicle or pedestrian or pedestrians to cross, no vehicle shall stop in any street except close to the curb thereof and then not within 20 feet of the line of intersection of any cross street.

Section 202: Duty Not to Drive on Sidewalk. No vehicle shall be ridden or driven on, along or across any sidewalk in the City of Alameda, provided, however, that wagons loaded with building materials may be driven over sidewalks where the same have been properly protected from breakage by a covering of planks securely fastened; and provided further, that this provision does not refer to regular driveways across sidewalks.

Section 203: Driving Near Standing Street Car. No vehicle shall be driven within 4 feet of the running board or lower step of any street car or interurban car that may have stopped to take on or discharge passengers.

Section 204: General Speed Limit—Exception As to Physicians. No vehicle shall be allowed to be driven or run over any of the streets in the districts designated as Numbers 1 and 2 at a greater rate of speed than 10 miles an hour and on crossings as per Section 199 of this Ordinance. In all other parts of the City of Alameda, no vehicle or car shall be allowed to be driven or run at a greater rate of speed than 18 miles per hour. The provisions of this section shall not apply to vehicles of physicians when such physicians are responding to a professional call.

Section 205: Leaving Horses or Vehicles Alone on Streets. No horse or vehicle shall be left standing on any street in the district designated as District No. 1 for a greater period of time than a reasonable time, and in no case over three hours, unless during such time, such horse or vehicle is securely hitched or placed or in the immediate care of some person of suitable age and discretion. (As amended by Ord. No. 2 N. S.)

Section 206: Driving Vehicles Tandem. Between the hours of 8 o'clock a. m. and 6 o'clock p. m. of any day within the district designated as District No. 1, it shall be unlawful to drive 2 or more freight vehicles hitched together tandem, or any freight vehicle drawn by more than 4 horses, or any hay wagon or oil wagon or any freight vehicle the total length of which together with its load shall exceed 24 feet, or the total width of which shall exceed 8 feet, or any vehicle filled with earth unless such earth has been taken from some excavation within said District No. 1, in which case such vehicle must at the first opportunity leave said District No. 1 and proceed to its destination by some other route; the provisions of this section shall not apply to vehicles transporting materials to be used in the construction or repair of buildings within said District No. 1.

Section 207: Garbage Vehicles on Streets at Certain Times. Between the hours of 10 o'clock a. m. and 6 o'clock p. m. of any day within the districts designated as Districts Numbers 1 and 2, no vehicle used for the collection or transportation of garbage, swill or other refuse or objectionable matter shall be driven or allowed to stand on any street in said Districts Numbers 1 and 2.

Section 208: Leaving Horses Unattended on Street. No horse shall be left unattended on any streets in the City of Alameda

unless securely hitched by a rope, strap or chain attached to its neck and to a post or other suitable fastening at the curb, or by a rope, strap or chain attached to its neck and to a suitable weight of not less than 10 pounds or in case of one or two horses being harnessed to a wagon fitted with a suitable brake, the horses may be backed, the brake set and the lines or reins so fastened that the wagon cannot be drawn forward by the horse or horses except by means of the lines or reins.

Section 209: Hitching Horses to Shade Trees, Lamp Posts, Etc. No horses shall be hitched on any street in the City of Alameda to any shade or ornamental tree, lamp post or electrolier, or other fixture used for purposes of illumination, or in such a manner that any damage may be done to any such tree, or to any grass plot or other improvement located in the space between the curb and sidewalk.

Section 210: Feeding of Horses on Street. No horse shall be fed upon any of the streets of the City of Alameda except by means of a feed bag fastened upon the head of such horse.

Section 211: Drayage Vehicles Standing on Streets. No vehicle used for the transportation of freight, baggage or merchandise, shall be allowed to stand on any of the streets in the district designated as District No. 1 except when actually loading or unloading.

Section 212: Driving Unbroken or Dangerous Horses on Streets. No person shall ride or drive any dangerous or unbroken or partially broken horse or use the street for the pupose of breaking any horse on any of the streets in the districts designated as Districts Numbers 1 and 2.

Section 213: Driving Across Newly Laid Pavements. No person shall ride or drive any horse, bicycle or vehicle over or across any pavement newly laid, across or around which there has been placed a barrier, or at or near which there is a person or a sign warning persons against riding or driving over such pavement, or a sign stating that the street is closed. The provisions of this Ordinance shall not apply to the contractor or his employees actually engaged in the laying of such pavement.

Section 214: Hindering or Delaying Street Cars. No person shall drive or propel, or stop any horse or vehicle on any street

in the City of Alameda over which are operated any street cars or interurban cars in such a manner as to unnecessarily hinder or delay the operation of such cars; provided, however, the vehicles of the Police and Fire Departments, and ambulances shall have the right of way when responding to call.

Section 215: Mufflers on Automobiles, Etc. No automobile, motor vehicle or motor cycle shall have its mufflers open while it's machinery is in motion.

Section 216: Unattended Motor Vehicles. No automobile or other motor vehicle shall be left unattended on any street in the City of Alameda while any part of its machinery is running.

Section 217: Age, Discretion and Condition of Person to Be Left in Charge of Vehicle. No vehicle shall be allowed to be in charge as driver of any person who is not of suitable age and discretion or in proper condition, physically or mentally, to properly manage and drive such vehicle.

Section 218: Obstructing Processions. No person shall obstruct or hinder or ride or drive any vehicle through any civil, military, or funeral procession, and the disposition and handling of all horses, vehicles and cars on any streets over which any such procession wishes to pass shall be entirely subject to the orders of the Police Officers on duty at the time and place. The provisions of this section shall not, however, apply to the apparatus or vehicles of the Police or Fire Departments when responding to a call.

Section 219: Riding Rear End of Vehicle. No person shall ride or attempt to ride on the rear end of any vehicle without the permission of the driver of such vehicle.

Section 220: Maintaining and Using Signals or Gongs. No automobile, motor vehicle or bicycle shall be ridden, driven, or operated over any of the streets of the City of Alameda, unless such automobile, motor cycle or bicycle is equipped with a suitable horn or gong or other signal in good working order and such signal must be sounded to give warning to pedestrians and the riders and drivers of other vehicles and to persons entering or alighting from street cars, of the approach of such automobile, motor vehicle or bicycle and such warning signal shall in no case be given

except when necessary. The provisions of this Section shall not apply to children's tricycles, invalid chairs and baby carriages.

Section 221: Necessity For Motor Vehicles to Display Front And Rear Lights. No automobile or motor vehicle shall be allowed to be on any street in the City of Alameda during the period of time from one hour after sunset to one hour before sunrise of the following day unless such automobile or motor vehicle shall display two lights in front showing white in the direction in which such automobile or motor vehicle is facing, and one red tail light in the reverse direction or towards the rear. The provisions of this section shall not apply to bicycles or motorcycles.

Section 222: Necessity For Bicycles, Motor Cycles and Horse Drawn Vehicles to Display Lights—Exception As to Police Vehicles. No bicycle, motorcycle or horse drawn vehicle shall be allowed to be on any street in the City of Alameda during the period of time from one hour after sunset to one hour before sunrise of the following day unless such bicycle, motor cycle or horse drawn vehicle shall display a light or lights plainly visible in both directions. The provisions of this section shall not apply to bicycles or motor cycles ridden by police officers while on duty.

Section 223: Necessity For Permit to Allow Vehicles to Stand In Streets. No vehicle used for the purpose of carrying passengers for hire shall be allowed to stand in or upon any street unless the owner or operator of such vehicle shall have first secured a permit in writing from the Board of Police Commissioners and such permit shall be shown on demand to any Police Officer, and the operation, and the location of the stands of such vehicles shall be in accordance with such rules and regulations as the Board of Police Commissioners shall adopt; provided, that such permit shall in no wise exempt the driver or owner of such vehicle from taking out the usual license otherwise provided for.

Section 224: Use of Vehicles Used For Vending. No vehicle used for the purpose of vending merchandise, meats, fruits, vegetables, confectionery or other vehicle commonly known shall as a peddler's cart or wagon, shall be allowed to stand on any street or sidewalk. The provisions of this section shall not apply to peanut, candy and ice cream hand-carts where the owners thereof have obtained permission from the Chief of Police to maintain

such hand-carts on Park Street between Lincoln and Encinal Avenues shall be given.

Section 225: Vehicles Transporting Crude Oil. No vehicle used for the transportation of crude oil or any of its products in tanks shall be allowed in or upon any of the streets of the City of Alameda, unless such vehicles are provided with drip pans under the faucets of such tanks to prevent the leakage of the contents of the tank upon the street, and such tanks must be in all cases so arranged and handled that no leakage of any kind can occur.

Section 226: Vehicles Transporting Sand, Gravel, or Liquid Substances. No vehicle carrying sand, gravel, earth, rock or any loose or liquid substance liable to fall, sift or spill out shall be allowed on any of the streets of the City of Alameda unless the vehicle is so constructed or the load thereon so secured as to prevent the falling, sifting or spilling of any of its contents upon the street over which it is passing.

Section 227: Limiting Weight of Load. No person shall carry or cause to be carried on any vehicle in any street of the City of Alameda a load the weight whereof exceeds six tons unless such load consists of an article which cannot be divided.

Section 228: Width of Vehicle Tires. No person shall, on any street in the City of Alameda, cause or permit to be carried, hauled or drawn on any truck, dray, wagon, or other vehicle belonging to him or in his charge, or under his control, any load exceeding two thousand pounds in weight, unless the tires to the wheels of such truck, dray, wagon, or other vehicles, shall be at least two inches in width, and when a load exceeding two thousand not exceeding five thousand pounds is carried the tires shall be at least three inches in width, and at least four inches in width when a load exceeding seven thousand pounds is carried, and at least five inches in width when a load exceeding ten thousand pounds and not exceeding fourteen thousand pounds is carried.

Section 229: Driving More Than Two Vehicles. No person shall act as driver or be in charge of, while in motion, of more than two vehicles on any of the streets of the City of Alameda; provided, however, that between the hours of 5 P. M. and 8 A. M. of the following day, one driver may be in charge of more than two

vehicles passing over the streets in going to and from the stables where such vehicles are kept.

Section 230: Driving Vehicles on Public Streets in Reckless or Dangerous Manner. It shall be unlawful for any person to drive and operate any vehicle on the public streets of the City of Alameda in a reckless and dangerous manner.

Section 231: Neglecting or Refusing to Stop When So Directed. No driver of a vehicle shall neglect or refuse to stop said vehicle when so directed by a police officer.

Section 232: Duty of Police Department to Enforce. It shall be the duty of the members of the Police Department to enforce the provisions of this article and to see that the rules herein laid down are strictly enforced except in case of an emergency. In such case these rules may be waived and the discretion of the police officer or police officers or Policemen on duty at the particular point where such emergency shall arise shall be exercised so as to prevent accident, a blockade or any impeding of traffic.

Section 233: Violation Constitutes a Misdemeanor. Every person who shall violate any of the provisions of this article or who shall neglect, fail or refuse to comply with any order or direction of any police officer or police officer on, upon or along any street or public way, where such order or direction is given for the purpose of carrying into effect the provisions or any of the provisions of this article, is guilty of a misdemeanor.

Article 8—CONCERNING ELECTRIC AND STEAM RAILROADS.

Section 234: Regulating Speed of Electric Cars. No person, firm, or corporation shall cause or permit any car propelled by electricity, under the management of said person or corporation, to travel at a rate of speed exceeding eight miles per hour on that portion of Park street, in the City of Alameda, between Encinal avenue and Lincoln avenue.

Section 235: Motorman to Sound a Gong Before Reaching Street Crossings. It shall be the duty of every motorman, or other employe having charge of any electric device, on any street car propelled by electricity in the City of Alameda, to sound a

gong on said car 100 feet from and before reaching any street crossing.

Section 236: Prohibiting Railroad Cars or Trains to Remain On or Block Street Crossings. No person, firm or corporation shall cause or allow any railroad car, or train, to remain or stand on any public street crossing in the City of Alameda longer than five minutes at a time.

Section 237: Trespassing Upon Railroad Cars, Locomotives or Trains. It shall be unlawful for any person, not a passenger or employe of or thereunto authorized by the corporation, firm or person operating any railroad car, locomotive or train within the City of Alameda, to enter or attempt to enter into or upon such railroad car, locomotive or train.

Section 238: Prohibiting Minors From Getting On or Off Moving Cars. No person under the age of twenty-one (21) years shall, in the City of Alameda, get on or off of any moving car or train propelled by steam or electricity.

Section 239: Misdemeanor. Any person who shall violate the provisions of this article shall be deemed guilty of a misdemeanor.

Article 9—THE REMOVAL OF BUILDINGS ON, OVER OR ALONG PUBLIC STREETS OR PUBLIC PLACES.

Section 240: Removal of Buildings. No person, firm or corporation shall move or cause to be moved any building in the City of Alameda, on, over or along any public street or highway therein, except having first complied with the provisions hereof.

Section 241: Obtaining Consent of Certain Property Owners. Any person, firm or corporation desiring to move or have removed a building shall first obtain the written assent to such removal from persons owning a majority of feet front or lots in same block or same street in which it is proposed to locate such removed building, and also a majority of persons owning front feet opposite the proposed location and within one hundred and fifty (150) feet of the same, which assent shall be filed with the City Clerk.

Provided, however, that this section shall not apply to any person removing a building upon his own premises, and not going

upon the premises of any other person, or upon any street, alley or other public place in making such removal.

Section 242: Permit For Removal—Indemnity Bond. No person, firm or corporation shall move, or cause to be moved, on, over or through any public street or highway in said city, any building from the City Council permit in writing so to do. Such permit shall be isuued upon presentation of the written assent, to the removal of such building, as provided for in Section 241 of this article, or upon the waiver of such assent by City Council, and shall not be issued until after the person, firm or corporation so applying therefor shall have first delivered to the City Clerk a bond, running to the City of Alameda, in the sum of two hundred ($200) dollars, with at least two good and sufficient sureties, approved by the President of the City Council, which bond shall be conditioned that the party so desiring to move buildings in said city will strictly comply with all the conditions and requirements of this ordinance and of any ordinances hereafter passed regulating house moving and of any order, rule or regulation concerning house moving that may hereafter be passed by the City Council, and that said party will pay any and all damages which may result by reason of any house moving in the City of Alameda by said party, his agents, employes or workmen, to any fence, tree, pavement, streets, sidewalk, horse car, cable, electric or steam railroad line, or to any telegraph pole or wire belonging to the City of Alameda, or belonging to any telegraph or telephone company having a franchise in said city, and conditioned further that said party, said principal, will save, indemnify and keep harmless the City of Alameda against all liabilities, judgments, costs and expenses which may in anywise accrue against said city in consequence of the granting of such permit, and will in all things strictly comply with the conditions of such permit. Any such bond filed by any person, firm or corporation shall operate as a bond for the purposes required by this ordinance for the term of one (1) year from the date of filing thereof, in so far that no other or additional bond need be given by such party for the removal of houses in said city during the said period of one (1) year, and at the expiration of said year, a new bond shall be required to be filed by such party before the issuance to such party of any permits hereunder.

Such permit shall specify the character of the building to be removed, the place from which and to which said building is to be moved, and the street on, over or through which such removal may be made; and said building shall not be moved on, over or through any other streets, except those named in said permit.

Section 243: Care And Diligence Required. All removals made under such permits shall be done in a careful manner, and shall be prosecuted with diligence, and shall be under the superintendence and control and to the satisfaction and approval of the Superintendent of Streets.

Section 244: Limiting The Standing of Such Building. No person, firm or corporation owning or having charge of the removal of any building through the public streets, shall permit said building to be or stand on any street, lane, alley or public grounds within the limits of one block for a longer period than twenty-four (24) hours.

Section 245: Prohibiting injury to Other Property. No person, firm or corporation owning or having charge of the removal of any building through the public streets shall allow or cause the injury of any street, sidewalk, curb, tree, fence or private removal.

Section 246: Obstruction of Street Car Traffic. No person, firm or corporation owning or having charge of the removal of any building shall permit the same to obstruct any horse car, cable road or electric road in operation, nor the line of any steam railroad, except between the hours of 1 A. M. and 5 A. M.

Section 247: Cutting of Wires. When the cutting or temporary removal of any pole or poles of any public or private telegraph, telephone, electric light wire, or any other wire passing along or over any street, lane or alley, becomes necessary for the removal of any building, the person in charge of such removal, at least six (6) hours in advance of reaching the same, shall notify the person or persons having charge of and control over such wire or wires, and the person so notified shall cause such wires to be promptly cut or removed and replaced.

Provided, however, that in every case in which the cutting of the wires of the City of Alameda may be necessary the City Electrician shall be notified, and he shall have the wires cut and re-

placed, the person or persons having charge of the removal of the buildings paying the entire cost and expense of the cutting, removal and replacing of the same.

Section 248: Revocation of Permit. The City Council may, at any time, for such cause as they, or a majority of them, upon investigation, deem sufficient, revoke any permission or license granted under this section; and it is specially ordained and declared that all such permits and licenses granted in accordance with the provisions of this article, although granted for the nominal term of one (1) year, are held at the pleasure of said City Council.

Section 249: Misdemeanor. Every person violating any provision of this article is guilty of a misdemeanor.

Article 10—SEWERS AND CONNECTIONS THEREWITH.

Section 250: Duty to Connect Houses With Sewer. Every person owning, controlling, or occupying land on which a house or tenement is constructed, and which fronts on any open street in the City of Alameda in which there is a public sewer, shall, within thirty days after the acceptance of such sewer by the City Council of said city, have said house or tenement is constructed and which fronts on any open street in the City of Alameda, in which there is a public sewer, shall within thirty days after the acceptance of such sewer by the city council of said city, had said house or tnenment connected with such sewer in such a manner that all sewer waste from such tenement shall be drained into said public sewer.

Section 251: Maintenance of Privy Vault After Construction of Sewer. No person shall maintain any cesspool or privy vault on any land owned, controlled, or occupied by him, fronting on any open street in the City of Alameda in which there is a public sewer, for any period of time longer than thirty days after the acceptance of such sewer by the City Council of said city.

Section 252: By Whom Sewer Connections Shall Be Made. All construction and installation of house connecting sewers in public highways in the City of Alameda, from the street sewer to the property line shall be made by the City of Alameda through the

office of the Street Superintendent thereof and no person, except as herein provided, shall make, construct or install any house connecting sewer in any public highway, between the street sewer and the property line, nor make any excavation in any public highway or street for the purpose of installing any such house connecting sewer.

Section 253: Necessity to Apply For Connection And Deposit Fee. Any person who shall require the construction of a house connecting sewer between the property line and the street sewer shall make application therefor at the offic of the Street Superintendent at least six (6) days before the connection is required, and shall deposit the fee for such sewer as hereinafter established. The Street Superintendent shall thereupon cause such sewer to be constructed by workmen employed in his Department and in accordance with the Ordinances, Rules and Regulations prescribed therefor.

Section 254: Fees For Connecting Sewers. The following fees are hereby fixed and established for the work of constructing and completing all house connecting sewers between the street sewer and the property line: For unimproved streets the sum of Fifteen ($15.00) Dollars; for macadamized or gravel streets the sum of Twenty ($20.00) Dollars; for asphalt or bitumen pavements the sum of Twenty ($20.00) Dollars, together with an additional fifteen (15) cents per square foot of surface disturbed and restored. The fees above mentioned shall be in full payment for all the work and material necessary to install such house connecting sewers from the street sewer to the property line and the necessary excavation and restoration of the street, and shall be paid into the Street Fund.

Section 255: How Sewers to Be Constructed. All sewers, unless otherwise ordered, shall be constructed in accordance with the provisions of this article.

All sewers, except as otherwise shown in the map made by H. Schussler, and marked by the Clerk of this Board "Filed July 3d, 1885," shall be constructed of glazed vitrified ironstone sewer pipe, and shall be laid with the elevations and grades shown on said map, the base referred to in said map being the same base established by the Board of Trustees of the Town of Alameda by

Ordinance No. 160, passed by said Board January 9th. 1877, and the size of each sewer shall be as shown on said map, unless otherwise ordered.

Section 256: General Specifications For Sewers. The trench for each sewer shall be excavated to within two inches of the grades of the inside bottom of the pipe for six-inch and eight-inch pipes, within three inches for ten-inch and twelve-inch pipes, and within four inches for larger pipes, and the trench at said depth must have a uniform width equal to two and one-half times the outer diameter of the pipe, and the bottom, wherever it is firm, be trimmed to a smooth grade by the use of a straight edge and level. Out of this flat bottom, wherever the ground is sufficiently solid, the bed for the pipe must be carefully excavated, so that when the pipe is laid it shall be upon the proper grade, as shown on said map, and have a solid bearing. As the pipe-laying progresses, wherever the ground is sufficiently solid, a joint hole, commencing at the back of the bell and reaching to a point two inches below the same and six inches forward of the front of the bell, must be excavated. All pipes and bells must be circular, not varying in form from a true circle more than one-twelfth of an inch for each three inches in diameter (inside measurement) of the pipe, sound and free from cracks, and well glazed, and the pipes must be straight, not varying from a straight line more than one-eighth of an inch in a length of two feet, and free from defects. The pieces of pipe in each sewer must be of uniform length and the net length when laid must be not less than two feet, or within an inch thereof; the depth of the bell must be uniform, and in pipes six inches or more in diameter not less than an inch and three-quarters, and in other pipes not less than an inch and a half. The inside of the bell and the outer edge of it must not be glazed, and the nipple end of the pipe, on the outside, for a length of four inches, must not be glazed. The pipe must be firmly bedded in the excavation in the bottom of the trench and on the true grade. The nipple end of the next pipe must be inserted in the bell of the former to the full depth of the bell, the play in the bell being equally divided around the pipe. A gasket of oakum, or of unraveled old rope, must be placed in successive layers around the nipple end of the new pipe and tightly rammed into the bell to the bottom thereof, and the gasket must have a depth of half an

inch after ramming, carefully dividing the play in the bell equally around the circumference; the balance of the play in the bell and the front or face of the same must be filled with cement mortar, composed of one part of best Portland cement and one and one-half parts of clean sharp sand (free from salt). The mortar in the bell must be pressed into the same carefully, in successive layers, with the fingers, and a rounding mortar joint of the same kind of mortar built up all around the pipe and in front of the bell, reaching from the outer edge of the same to a distance of not less than three inches on the new pipe. All mortar must be mixed only in small batches, as the work progresses, so as to be entirely fresh at all times when used. Under no circumstances is any old or partly set mortar to be mixed up in the same. The filling of the trench must be very carefully done, dry earth, sand, or clay (but not loam) being carefully packed around the joints and on the sides and on top of the pipe in successive thin layers. No walking over the pipe must be allowed until this filling has reached a depth of at least one foot over the top of the pipe, and no ramming until it has reached a depth of eighteen inches over the top of the pipe; the balance of the material excavated must be replaced in the trench and rammed down in successive layers. As the work of filling the trenches progresses, the earth filled in must be thoroughly saturated with water; provided, that no water shall be used till the lapse of twenty-four hours after the cementing of the joints. Should the bottom of the ditch be soft, a piece of blackheart redwood plank, one and one-half inches thick must be laid across the ditch underneath the pipe and immediately back of the bell, the width of the plank being equal to the diameter of the pipe, the length equal to three times the diameter, and the top of the plank being on the proper grade of the bottom of the pipe. Two beveled cleats of redwood must be nailed on this plank, with galvanized nails, in such a manner as to prevent any lateral motion of the pipe; provided, that if in any case the Superintendent shall require it, so much additional lumber or other materials as he may direct shall be used in making a secure foundation, and the same shall be placed as he may direct. The contractor shall pump out or otherwise remove any water or sewage which may be found or shall accumulate in the trench, and shall construct dams or other works necessary for keeping the excavation clear of water and sewage during the progress of the work. The sides of

the excavation shall be supported with suitable planking and bracing, wherever necessary, and in such manner as to prevent the caving in of the sides of the trench. All dead ends of the sewer and openings along its line must be securely closed with earthenware stoppers, made for the purpose, so as to exclude sand and other materials. During the suspension of the work at night and other times, a stopper must be placed in the end of the pipe last laid to prevent earth and other substances from getting in. The sewer, after being laid, must be water tight at all points, and any leaks or other defects discovered at any time must be immediately repaired. Any pipe which has been disturbed, from any cause, must be taken up, the joints cleaned, and relaid. No part of the sewer shall be laid in water, nor shall water be allowed in or around it until the lapse of twenty-four hours after the cementing of the joints. The interior of the sewer shall be carefully freed from all cement, dirt, and superfluous material of every description, as the work proceeds, for which purpose a disc, mould or swab, filling the entire core of the pipe, and attached to a rod sufficiently long to pass two joints from the end of the pipe last laid, shall be continuously worked through. All sand or earthy matter or other materials which may remain on the surface of the improved roadway, after the trench has been filled up, shall be carefully removed by the contractor. The contractor shall have charge of and be responsible for the entire line of work until its completion and acceptance, and whenever the Superintendent of Streets may require it, openings shall be made for examination, the expense of which and of properly closing the openings shall be defrayed by the contractor. The ends of the pipe, when laid in the trench, shall abut squarely and closely against each other. No building must be connected with any street sewer until such sewer has been completed and has been accepted by the city.

Section 257: How Manholes to be Constructed. Manholes must be constructed at such points as may be specified, and unless otherwise specified as herein provided, they must be built of the best hard-burned brick, laid in mortar composed of one part of the best Portland cement and two parts of clean, sharp sand, free from salt, calculating two barrels of cement and four barrels of sand for one thousand bricks, or in that proportion. No lime

shall be mixed with the mortar. The body of the manhole must be three feet in the clear inside, the walls being eight inches thick, every other course being a header. The bottom and inside and outside of the manhole must be plastered with cement mortar of the same kind, the thickness of such plastering to be three-eighths of an inch. The bottom of the manhole must be arranged inside and the manhole constructed as shown on the sheet marked "Sewerage of Alameda; Sketches of Details, Sheet A. Filed by the City Clerk, in his office, July 3d, 1885." The manhole must have a cast-iron cover such as is indicated on the sheet marked "A," filed by the City Clerk in his office, July 27th, 1885, except that the size of said cover shall be as shown on said sheet marked "Sewerage of Alameda; Sketches of Details, Sheet A." Provided, that the cover must also be perforated with not less than sixteen holes, one inch in diameter on the upper side and one inch and an eighth on the under side—the holes all being within a radius of five inches—and must be provided with a concave sheet-iron dust catcher, fourteen inches in diameter, made of No. 12 iron, secured to the under side of the cover so as to extend under all the holes, by three hooks and eyebolts—the hook and eyebolts to be of not less than quarter-inch iron and the concave surface of the dust catcher to be upward.

Section 258: Necessity For Two Y Branches—How Constructed. Unless otherwise ordered each street sewer must have two Y branches placed alternately on opposite sides of the sewer for every fifty feet in length thereof, at such points as the Superintendent of Streets may direct, as the work progresses; provided, that there shall be no branches placed at street crossings nor within twenty-five feet of a street crossing unless otherwise specified. The Y piece must be so set that the center line of the branch inclines about 25 deg. with the horizon. A four-inch house connection of the same kind of pipe as the street sewer, and having a uniform and even diameter of four inches, must be connected with each branch, by means of a short curved pipe of the same kind and size, and must be extended to the line of the street, on the same side of the sewer, and must be laid with such a grade as the Superintendent of Streets shall direct as the work progresses, unless otherwise specified. The pipe must be laid and the joints made and the pipes secured in the same way as hereinbefore

specified for street sewers, and the filling done in the same manner, so far as practicable, and to the satisfaction of the Superintendent of Streets. The upper end of the house connections must be securely capped so as to keep all dirt out of the pipes.

Section 259: Construction of Sewer Connections. All sewer connections shall be constructed as follows: The pipe running to the building shall be connected with the pipe extending from the street sewer to the property line, as hereinbefore provided, and shall be of the same size, to wit, four inches in diameter inside measurement, and shall be laid in the same manner and in accordance with the same specifications as the street sewers, and shall rise with a uniform grade until the house is reached, where a vertical light three-inch cast-iron pipe with lead joints, or a gavvanized iron pipe three inches in diameter, with all joints soldered air tight, must be connected with the four-inch sewer pipe by means of a T piece. This upright iron pipe must extend at least two feet above the plates of the main part of the building, so as to insure perfect ventilation of the sewers.

Provided, further that such ventilating pipe shall extend at least three feet above any window or other opening of such building. No traps whatsoever must be allowed in the four-inch house drain between this ventilating pipe and the street sewer.

Provided, that in case of contiguous or adjoining buildings, one of which is one or more stories higher than the other, then a four-inch running trap, with a four-inch air inlet on the house side, shall be placed in the connecting house drain of the lower building near to and inside of said property line, and in such case the said three-inch vertical pipe may be dispensed with. All waste pipes coming from the house, as soil pipes, pipes from bath tubs, washstands, kitchens, etc., must be separately trapped before entering the main four-inch house drain, and none of them must enter between the ventilating pipe and the street sewer. The waste pipes from kitchens must discharge into large iron hoppers, or be specially trapped by large grease traps sixteen inches deep, the discharge from which starts from the bottom of the vessel, and after running up the side thereof, has its outlet not more than three inches below the top. The capacity of the grease trap must be not less than one cubic foot, and it must have a movable cover, so that the cooled grease can be easily moved from the sur-

face. All water-closets connecting with sewers must be flush closets, which at each discharge send not less than one gallon of water suddenly into the sewer.

Section 260: Nature of Sand And Cement to Be Used. In all work provided for in this ordinance where mortar is specified the sand used must be clean, sharp sand, free from salt, and if necessary the sand must be thoroughly washed with fresh water in order to make it so, and all cement used must be the best Portland cement.

Section 261: Under Supervision of Street Superintendent. All work must be done and all materials furnished under the direction of the Superintendent of Streets and to his satisfaction.

Section 262: Removal And Disposition of Material. In opening any improved street or sidewalk for the purpose of laying any sewer, all materials used in improving such street or sidewalk must be removed with the least possible injury or loss of the same, and it and the other materials excavated must be so placed as to cause the least practicable inconvenience to the public. The material used in improving the surface must, when removed, be placed by itself and must be replaced by the contractor in the same manner in which it was originally, and the surface must be left in as good condition as it was before. No pipes shall be covered nor any filling put into any trench till authorized by the Superintendent of Streets. All excavations shall be made under his direction, and only so much excavation in advance of the laying of pipes and refilling of trenches shall be made as he may authorize.

Section 263: Inspection of Material By Street Superintendent. All materials to be used in the construction of any sewer shall, after being brought upon the ground, be inspected by the Superintendent of Streets before being used, and all materials rejected by him shall be at once removed from the premises by the contractor, and shall not be returned.

Section 264: Maintenance of Red Light at Sewer Trenches. All contractors and other persons making any trench in any street for the purpose of laying a sewer shall at night keep a red light burning at every 30 feet along the trench, throughout the entire

night, and must take all other necessary precautions to guard people against all accidents and danger.

Section 265: Not Deposit Filth, Etc., In Bay of San Francisco. No person shall cause any garbage, offal or dead animal to be deposited in the Bay of San Francisco or any of its affluents or estuaries, within the limits of the City of Alameda.

Section 266: Prohibiting Discharge of Dyes And Acids Into Oakland Harbor. No person within the City of Alameda shall cause of permit any dye or acid, or other refuse, either liquid or solid, resulting from the operation of dyeing or tanning or produced in the manufacture of gas, to be discharged into or deposited in any sewer, ditch, pipe or other passage communicating either directly or indirectly with the Estuary of San Antonio commonly called Oakland Harbor.

Section 267: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

CHAPTER V

RELATING TO THE POLICE AND FIRE DEPARTMENT

Article 1—THE POLICE DEPARTMENT.

Section 268: Duty of Police Department to Enforce Ordinances. It shall be the duty of the Chief of Police and all Police Officers to carry out the provisions of this ordinance, and to cause the arrest of all persons violating any of the provisions thereof.

Section 269: How Sergeants and Detectives Are to Be Detailed. The Chief of Police shall with the approval of the Board of Police and Fire Commissioners, detail three regular police officers to act as Sergeants of police and two regular police officers to act as Detectives, and such detail or either thereof may be changed or revoked by the Chief of Police with the approval of the Board of Police and Fire Commissioners.

Section 270. Their Duties. In addition to the duties required of such officers by law, and the rules and regulations governing

the police department of the City of Alameda, one of said Sergeants shall attend to the collection of license taxes, and particularly to the enforcement of the license ordinances, and shall render whatever clerical assistance may be required in the office of the Chief of Police under his supervision and direction; another of said Sergeants shall perform the duties of Office Sergeant in the police office; and the other to act as office sergeant during the night and render such clerical assistance as may be required of him; the said detectives shall render such services in the detection of crime as may be required of them by the Chief of Police.

Article 2—PROTECTION, SALE OR DISPOSITION OF LOST, STOLEN OR UNCLAIMED PROPERTY.

Section 271: Chief of Police As Custodian. The Chief of Police shall be the custodian of all lost, stolen and unclaimed property which may now be in his possession or under his control, or which may hereafter come into the possession of any police officer.

Section 272: Duty of Police Officer on Receiving Property in Custody. Every police officer, upon taking or receiving into his custody, in the discharge of his duty, any money or property, shall forthwith deliver such money or property to the Chief of Police, who shall particularly register all such property delivered to or received by him in a book kept for that purpose, stating the name of the person from whom, and by whom, such article or parcel shall have been taken, the name of all claimants of each article or parcel, the time of seizure, and the final disposition thereof.

Section 273: Disposition of Property Taken From Prisoner. Whenever money or property shall have been taken from a person on suspicion that such person feloniously obtained the same, if, upon examination of the person suspected, the examining magistrate shall be satisfied from the evidence that he is innocent, and that the money or property rightfully belongs to him, such magistrate shall, in writing, order the Chief of Police or officer having charge of such money or property to return the same to the person accused.

Section 274: Duty of Chief of Police And Superintendent to Report Property In Their Possession. The Chief of Police and the

Superintendent of Streets shall at the expiration of each fiscal year, make a report to the Council of all lost, stolen and unclaimed property which may be in his possession or under his control, and within thirty days after the date of such report he shall turn over to the Treasurer of the City of Alameda all property and money mentioned in such report, and take his receipt therefor.

Section 275: Sale By City Treasurer of Property In His Possession. The City Treasurer shall from time to time sell all unclaimed property in his possession. Notice of such sales shall be published for ten days prior to the time of sale in the official newspaper of said city, which notices, shall specify the time and place of sale and briefly describe the property to be sold. When the name and address of the owner of any unclaimed property is known to said Treasurer he shall also mail a notice of such sale to said owner at least five days before the time of sale. If for any reason any of said property is not sold at the time set for the sale the sale thereof may be postponed from day to day or for any period of time not longer than ten days. In case of postponement notice thereof shall be posted at the place of sale.

Section 276: Duty to Sell The Same At Auction. After having duly published the advertisement provided for by the last section, the Treasurer shall, at the time and place designated in the advertisement, proceed to sell at auction, to the highest bidder, for gold or silver coin, the property described in said advertisement, and, after having paid the just and reasonable expenses for storage, advertising and sale, shall keep the proceeds for one year, subject to any lawful claim which may be made by the owner of any of the property sold.

Section 277: Disposition of Proceeds of Sale. The Treasurer shall, at the expiration of one year after every sale hereunder made, pay into the General Fund all moneys remaining in his hands on account of such sale.

Section 278: Right of Claimant of Property. The Justice of the Peace for the City of Alameda may hear and determine any complaint made by a person interested in the disposition of any money or property mentioned in this article, and may, upon hearing, direct the delivery of any money or property or the payment of the proceeds of the sale of any property to the person entitled thereto.

Section 279: Right to Deduct Costs And Charges. Upon the payment of the proceeds of the sale of any property to the person entitled thereto, the Treasurer shall deduct from the amount of such proceeds the just proportional share of the expenses of storage, advertisement, and sale.

Article 3—REGULATING PAWNBROKERS AND SECOND-HAND DEALERS.

Section 280: Duty of Pawnbrokers and Second-Hand Dealers To Keep Certain Records. Every person, firm or corporation buying, selling or exchanging, receiving in pledge, or otherwise dealing in, whether as a separate business or in connection with other business, second-hand bicycles, precious stones, silverware, jewelry, old gold or silver, clothing, tools, surgical, dental or drawing instruments or implements, firearms, junk or any of said articles in the City of Alameda shall keep at his place of business a record book, in which shall be entered, in the English language, at the time of purchase, sale, pledge or exchange of such articles, a description of such articles bought, sold, pledged or exchanged sufficient to identify the same and the signature and the address of the person buying, selling, pledging or exchanging such articles, and, if an exchange be made, a description of the articles given in exchange as well as those received.

Section 281: Necessity to Send Copy of Entries to Chief of Police. A true copy of all entries made in said record book for the week previous shall be delivered to the Chief of Police by the person keeping said record book at least once a week.

Section 282: Openness of Record Book to Inspectors. Said record book shall be open to the inspection of the Chief of Police or any police officer of the City of Alameda, at any time during business hours, and it is hereby declared to be unlawful for any person keeping said record book, or having the same in his custody or control, to fail to produce the same and submit it to the inspection of such Chief of Police or Police Officer upon demand.

Section 283: Necessity to Keep Articles For Ten Days. All articles mentioned in Section 280 of this ordinance received by purchase, pledge or exchange shall be kept by the person, firm or

corporation receiving the same at least ten days before the same are disposed of.

Section 284: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 4—THE FIRE DEPARTMENT.

Section 285: Organization of The Fire Department. The Fire Department of the City of Alameda is hereby reorganized as follows:

In addition to the Chief Engineer of said department there shall be and are hereby provided for and authorized, two (2) Assistant Chief Engineers, two (2) Engineers of Engines, two (2) Assistant Engineers of Engines, six (6) Captains, eleven (11) Drivers of whom seven (7) to be designated by the Board of Police and Fire Commissioners, shall be Acting Lieutenants, eight (8) Truckmen and eighteen (18) Hosemen.

Section 286: Creation of Office of Fire Marshal—Duties. There is also hereby created the office of Fire Marshal of the City of Alameda, which office shall be held and the duties thereof performed by the Chief Engineer of the Fire Departmnt of the City of Alameda, who shall be ex-officio Fire Marshal, but who shall receive no compensation therefor other than his salary as Chief of the Fire Department.

Section 287: Deputy Fire Marshals. The Fire Marshal shall have the power to appoint deputies, who shall receive no compensation or allowance of any kind from the city, and who may act in the place and stead of the Fire Marshal, subject to removal by the Fire Marshal.

Section 288: Duty of Fire Marshal. It shall be the duty of the Fire Marshal, by himself or deputies, to attend to the enforcement of the provisions of this article and all other ordinances pertaining to the protection of the city from fire.

Section 289: Right to Enter Upon Premises. The Fire Marshal, or his deputies, shall have the right to enter upon any premises at all reasonable hours for the purpose of inspecting the same.

Section 290: Disposition of Ashes. It shall be unlawful for any person or persons to deposit any ashes, cause the same ot be deposited or placed, or to permit or suffer the same upon any premises owned, occupied or controlled by any such person, to be or remain in any wooden vessel or receptacle, or any vessel or receptacle composed or made of combustible material; but said ashes shall be placed and kept in some safe depository or receptacle of galvanized iron or other incombustible material, and not less than two inches from any wood-work or structure, or deposited on the ground not less than ten feet from any wood building or structure or from any wooded fence, lumber, wood, hay, stram, or combustible material whatever. Portable receptacles shall have a clear air space of not less than two (2) inches below the bottom thereof. No combustible material shall be placed in receptacles for ashes.

Section 291: Receptacles For Waste. All receptacles for waste, rags, paper, and other substances liable by spontaneous combustion or otherwise, to cause fire, must be made of incombustible material, and if portable, must have a clear air space of not less than two (2) inches below the bottom.

Section 292: Combustibles On Roof, In Yards or Lots. It shall be unlawful for any person to allow or permit to remain upon any roof, or in any yard, or on any vacant lot, in the City of Alameda, any accumulation of paper, hay, moss, or any other inflammable, or combustible rubbish or waste material of any description.

Section 293: Storage of Gun-Powder. No person, firm or corporation shall permit the storage of or keep for sale, within any of the fire limits of the City of Alameda, any gun-powder, giant or blasting powder in larger quantities than fifty (50) pounds.

All gunpowder- giant or blasting powder must be kept in copper cases within six feet and at the right hand side of the front entrance of the building where the same is kept.

Section 294: Manufacture of Acids And Explosives. No person, firm or corporation shall maintain or conduct any factory or works within the City of Alameda for the manufacture of any gunpowder, dynamite, acid or other similar explosives.

Section 295: Hay Yards, Planing Mills, Etc. No hay yard, planing mill, sawmill, lumber yard, or laundry, shall hereafter be

established within any of the fire limits of the City of Alameda. Provided, that upon proper showing that changing the location of any laundry now within the fire limits will reduce the fire risks, such laundry may be re-established at some other location within the fire limits, upon permission being obtained from said Council.

Section 296: Necessity For Permit For Factory or Steam Boiler. No factory or steam boiler shall hereafter be established within any of the fire limits of said city unless a permit therefor is first obtained on proper showing from the said Council.

Section 297: Safeguarding Hay, Straw, Shavings, Etc. Every person making, using or having the charge or control of hay, straw, shavings, sacks, bags, litter or any combustible material, or waste, or fragments, or refuse of a combustible character, shall, at the close of each day, cause the same to be securely stored or disposed of in such way as to safely protect the same from fire, and in such way as shall not endanger other property.

Section 298: Dangerous Structures—Notice to Make Safe. Whenever, in the judgment of the Fire Marshal, any building or structure, or any portion thereof, or any appurtenances or fixtures thereto, or any chimney, smoke-stack, stove, oven, furnace, or thing connected with such building or premises is deemed defective or unsafe as to fire, the said Fire Marshal, or his deputy, shall give the owner, or person having control of said property five (5) days' notice of required changes, alterations, or repairs necessary to render the same safe to life and property from fire, and any person refusing or neglecting to comply with said notice shall be subject to the penalties provided for in this Ordinance.

Section 299: Safeguarding of Unoccupied Buildings. Whenever any unoccupied building is not properly secured or enclosed, the Fire Marshal, or his deputy, shall immediately visit the premises and notify the owner, or person having control of the same, to forthwith secure or enclose the same, so as to prevent evilly disposed persons from gaining access thereto, and the person so notified as aforesaid shall within forty-eight hours comply therewith.

Section 300: Burning of Brush or Refuse. It shall be unlawful for any person to start, or cause to be started, any fire outside of any building, inside the fire limits, for the purpose of burning any

refuse matter, or any brush, logs, or stumps, except by permission from and under the direction of the Chief Engineer of the Fire Department.

Section 301: Bonfires. No person in said city shall so kindle or light or cause to be kindled or lighted any bonfires, without first having obtained a permit from the Fire Marshal.

Section 302: Burning Rubbish On Public Streets. No person shall set fire, or burn or cause to be set fire to or burned, any rags, paper, wood, or any rubbish on any publis street or grounds within the City of Alameda, or upon any street or sidewalk paved with or constructed of bituminous rock, or any other combustible material, without first having obtained a written permit from the Fire Marshall.

Section 303: Rendering Tallow Or Fat—Slaughter House. No person shall, within the limits of the City of Alameda, render or boil down any tallow or fat, for commercial purposes, unless the premises upon which such rendering is done shall be at a distance of not less than five hundred (500) feet from any occupied dwelling, and no person within the City of Alameda shall conduct any slaughter house.

Section 304: Carrying Fire Where Combustibles Stored. No person, in the City of Alameda, shall use any portable light, or smoke in any place where hay, gunpowder, petroleum or any other combustible material is stored or kept.

Section 305: Lighted Cigars Or Fires In Operators Box.. It shall be unlawful for any person to place or permit to remain in any enclosure or room in which any moving picture machine is operated, any open fire, or any lighted cigar or cigarette or pipe.

Section 306: Chemical Fire Extinguishers—Moving Picture Box. In all such places of amusement, two three gallon chemical fire extinguishers must be kept immediately outside the operator's booth or moving picture box, and said fire extinguishers shall be ready for service at all times.

Section 307: Match Factory. No person, firm or corporation shall maintain or conduct any factory or works within any of the Fire Limits of the City of Alameda, for the manufacture of matches.

Section 308: Storage of Hay or Straw Within Fire Limits. Within Fire Limits Numbers One and Three, no hay or straw shall be kept or stored within fifteen (15) feet of any building used as a dwelling.

Section 309: Interference With Fire Alarm or Police Telegraph Apparatus. No person shall, in the City of Alameda.

1. Break, remove, or injure any of the parts or appurtenances of the Fire Alarm or Police Telegraph, or Electric Light, or Fire Department Apparatus, without authority or permission from the City Council.

2. Make or fit any key to the lock of any signal box of the Fire Alarm or Police Telegraph.

3. Have or retain in his possession, or under his control a key belonging to or fitted to open the lock of any such signal box, without lawful authority so to do.

4. Pick or force the lock of any such signal box without the authority or consent of the Chief of Police or Chief of the Fire Department.

5. Willfully make or cause to be made any false alarm of fire. by means of said telegraph or otherwise.

Section 310: Injuring Property of Police or Fire Department. Any person or persons willfully injuring any engine house, hose, hose carriage, or other apparatus or property of the Fire or Police Department of the City of Alameda, or any property of any company belonging to said Department, shall be deemed guilty of a misdemeanor, and punished as provided in this ordinance.

Section 311: Obstructing Fire Hydrants. No person shall, in the City of Alameda, obstruct any fire hydrant or cistern in such manner as to hide it from view at any point, or hinder free access thereto by any engine or hose carriage, or construct any area or other wall or thing so as to interfere in any manner with a hydrant below the line of the curb.

Section 312: Police to Guard Streets In Case of Fire. It shall be the duty of the police, at the time of fire, to place ropes or guards across all streets, lanes, or alleys on which shall be situated any building on fire, and at such other points as they shall deem expedient and necessary, and they shall prevent any and all persons, except owners and occupants of buildings endangered by

the existing fire, and their employes, and excepting also officers of the Fire Department and firemen, officers of the City of Alameda, and such other persons as may have permission from an officer of the Fire Department, or a police officer, from entering within the lines so designated by ropes or guards. Any person, or persons, other than those hereinbefore excepted, entering within the lines designated by said ropes or guards, and refusing to go outside of said lines when directed so to do by any police officer or officer of the Fire Department, shall be deemed guilty of a misdemeanor, and liable to punishment as provided in this ordinance.

Section 313: Breaking Through Guarded Streets. It shall be unlawful for any person or persons to break through or attempt to break through such rope, or guard, or barrier, or to run over with any vehicle any fire hose used by the Fire Department at any fire.

Section 314: Prohibiting Use of Water For Irrigation After Fire Alarms. It shall be unlawful for any person to draw, take or use or to allow or permit the drawing, taking or using, on any premises owned, occupied or controlled by him, of any water for the purpose of irrigation, from pipes or mains which are or shall be directly or indirectly connected with the supply of water available for the use of the Fire Department of the City of Alameda, between the time of the sounding of any bell alarm of fire and the sounding of the "recall" bell indicating that the fire is extinguished.

Section 315: Misdemeanor. Any person who violates any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 5—REGULATING THE KEEPING, USE AND STORAGE OF PETROLEUM PRODUCTS OR HYDRO-CARBON LIQUIDS.

Section 316: City Council To Grant Permits When Over 300 Gallons. It shall be unlawful for any person, firm or corporation to store or use petroleum, gasoline, benzine, naptha, crude petroleum or any product of petroleum, or hydro-carbon liquids in greater quantities than three hundred (300) gallons, within the

City of Alameda without first obtaining a permit therefore from the City Council of the City of Alameda, specifylug the name of the permittee and the location of the premises to be used for such storage or use of petroleum, gasoline, benzine, naptha, crude petroleum or any product of petroleum, or hydro-carbon liquids, and the amount of the above named oil or oils desired; provided, however, that the City Council in the granting or refusal of such permit shall exercise a reasonable and sound discretion, taking into consideration the character of the applicant for such permit and the intended location; and further provided, that all persons, firms or corporations now conducting such a place for the above named oils, after the passage of this ordinance, comply with all the requirements hereinafter specified in this ordinance governing the storage or use of an additional supply of the above named oils.

Provided, however, that this article shall not apply to ordinary kerosene or coal oil lamps or properly constructed kerosene or coal stoves, using oil which will stand a flash test of one hundred and ten (110) degrees Fahrenheit, or better, before it will flash or emit an inflammable vapor.

Section 317: Notices of Application to Be Posted on Premises. When application is made to the City Council by any person, firm or corporation to store or use any petroleum, gasoline, benzine, naptha, crude petroleum or any product of petroleum, or hydro-carbon liquids, said applicant or applicants shall cause to be posted conspicuously on his or their premises a notice to the effect that application has been made to the City Council for the granting of such permit; said notice to be posted immediately after the filing of the application and to be kept posted until said application is finally granted or denied.

Section 318: Fire Marshall to Report on Applications. All applications made to the City Council for permits to store or use any petroleum, gasoline, benzine, naptha, crude petroleum or any product of petroleum, or hydro-carbon liquids, shall before final action is taken thereon by the City Council, be referred to the Fire Marshal for investigation, and to report the conditions necessary to be embodied in the resolution granting such privileges to the petitions. Furthermore, said Fire Marshal shall furnish each applicant with a written or printed copy of all the requirements

imposed by this ordinance for their information and guidance as to the manner in which the above named oils shall be stored or used, and shall also furnish the clerk of the City Council with a copy of said conditions.

Section 319: Storage of Petroleum Products Up to Five Gallons. It shall be unlawful for any person, firm, company, or corporation to keep or store, or to permit the keeping or storing of, within the City of Alameda, in any building or upon any premises, street, or place, any gasoline, benzine, naptha, crude petroleum, or product of petroleum, or hydro-carbon liquid which shall flash or emit an inflammable vapor at a temperature below one hundred and ten (110) degrees Fahrenheit, in greater quantities than Five (5) gallons, without the written permission of the Fire Marshal of the City of Alameda. Not more than five (5) gallons of any of the articles hereinbefore mentioned shall in any case be kept in any one place, except as in this article hereinafter provided, and any quantity in excess of Five (5) gallons must be stored outside the walls of any building at a spot designated by the Fire Marshal.

Section 320: Storage of Quantities Above 5 Gallons and Not Exceeding 300 Gallons. It shall be unlawful for any person, firm, company or corporation to keep or store, or permit the keeping or storing of any of the articles mentioned in section 316 of this article within the City of Alameda in quantities in excess of five (5) gallons and not exceeding One Hundred and Seventy-five (175) gallons unless the same be kept or stored in a No. 12 gauge galvanized steel tank, if within the Fire Limits of said city, and of a No. 16 gauge galvanized steel tank, if outside of said Fire Limits, said tanks to be riveted, steel to steel joints, soldered and coated with tar or other rust resisting material, or an iron tank of not less than three sixteenths (3-16) of an inch in thickness, riveted and caulked, coated with tar or other rust resisting materials, the said tanks to be placed under the sidewalk or at least fifteen feet from any unhabitated building, the top of any such tank if within the Fire Limits, to be at least four (4) feet below the surface of the earth but if outside of the Fire Limits the top thereof to be at least two (2) feet below the surface of the earth.

It shall be unlawful for any person, firm, company or corporation to keep or store, or permit the keeping or storing of any of

the articles mentioned in section 316 of this article, within the City of Alameda, in quantities in excess of one hundred and seventy-five (175) gallons and not exceeding three hundred (300) gallons unless the same be kept or stored in a No. 12 guage galvanized, steel to steel joints, soldered and coated with tar or other rust material, or an iron tank of not less than three sixteenths (3-16) of an inch in thickness, riveted and caulked, coated with tar or other rust resisting material, the said tanks to be placed under the sidewalk or at least fifteen feet from any unhabitated building, the top of any such tank, if within the Fire Limits, to be at least four (4) feet below the surface of the earth but if outside of the Fire Limits, the top thereof to be at least two (2) feet below the surface of the earth.

No such tank shall be located nearer than twenty (20) feet from any furnace, stove or other fire.

All such tanks shall be supplied with proper feed pipe and pump and each pump to be supplied with an automatic cut off or self draining check valve.

Section 321: How Quantities Over 500 Gallons Must Be Stored. It shall be unlawful for any person, firm, company or corporation to keep or store or permit the keeping or storing of, within the City of Alameda, in any one building or upon any one premises, street, or place, any of the articles mentioned in Section 316 of this article which shall flash or emit an inflammable vapor at a temperature above one hundred and ten (110) degrees Fahrenheit, in quantities greater than five hundred (500) gallons, except in tanks arranged as provided for in Sections 316, 318, 322 and 323 of this article, or in barrels or metallic cans in a one story brick, stone or concrete warehouse detached fifty (50) feet from any other building and used only for such storage, which building shall be only used as said storage, upon written or printed permit of the City Council of the City of Alameda.

Section 322: Necessity to Present Plans of Tanks to City Council. Before any storage tank or tanks for the storage of quantities greater than three hundred (300) gallons shall be built or erected the person, firm, company or corporation intending to build or erect them shall make application to the City Council of the City of Alameda, submitting plans of the proposed tank or tanks, showing their size and capacity, construction, proposed

contents, location, distance from water and streams, and showing the location of all adjacent buildings. They shall also submit plans and specifications for a brick or concrete wall to surround said tank or tanks.

Section 323: Plans and Specifications For Such Tanks to Be Approved. All such storage tanks shall be located a sufficient distance away from bulkheads or water front (high tide) to allow the construction of a brick or concrete wall having a height of not less than four (4) feet, said walls to be not less than thirteen (13) inches thick at top; to be reinforced with buttresses at least every ten (10) feet. The plans and specifications for such wall or walls to be approved by the City Council and the Fire Marshal of the City of Alameda. The walls may be constructed of reinforced concrete of such thickness and with such reinforcement as may be approved by the City Council and the Fire Marshal.

The reservoir formed by such walls must have a capacity at least ten (10%) per cent in excess of that of the tank, tanks or plant surrounded and there shall be no openings of any kind in said walls.

Section 324: Care of Inflammable Petroleum Products During Night Time While In Transit. None of the aforesaid gasoline, benzine, naptha, crude, petroleum or product of petroleum, or hydro-carbon liquids which shall flash or emit an inflammable vapor at a temperature below one hundred and ten (110) degrees Fahrenheit, shall be allowed while in transit to remain in any warehouse or ware room, in greater quantities than five (5) gallons, at night between the hours of sunset and sunrise, but shall be so placed outside such buildings as to be readily accessible to the fire department in case of fire, at a spot determined upon by the Fire Marshal of the City of Alameda; and every ship or vessel having as part of its cargo any of the above named products of petroleum or hydro-carbon liquids in greater quantities than five hundred (500) gallons, shall at night, between the hours of sunset and sunrise, be more than two hundred (200) feet removed from any dock, warehouse, or other burnable property.

Section 325: How Storage Tanks Are to Be Filled, or Emptied. When storage tanks are to be filled with crude petroleum, they shall be filled through a section of hose or pipe suitable for the

purpose directly connected to the tank or delivery wagon which hose or pipe shall be detached from the feed pipe when not in service.

When storage tanks are to be filled with refined petroleum products or liquids they shall be filled by means of receptacles or metallic cans of not more than five (5) gallons capacity in which said products or liquid shall be carried from the tank wagon to the receiving pipe or opening of the receiving tank.

The contents of storage tanks shall not be emptied or withdrawn by any gravity, pressure or syphon methods.

Section 326: Installation of Plants Burning Fuel Petroleum or Distillate—Specifications For The Same. No person, firm or corporation shall, within the City of Alameda, construct, erect or maintain any plant or use any device or apparatus for burning crude or fuel petroleum or fuel distillate, or for generating a gas therefrom, for fuel purposes, without the approval of the Fire Marshal of the City of Alameda, and in such manner and location as said Fire Marshal shall deem safe to life and property, and then only when installed in accordance with the following specifications:

(a) The storage tank to be constructed of boiler iron or steel not less than three sixteenths (3-16) of an inch in thickness, the top of same to be buried not less than four (4) feet underground, and located outside the foundation of any building, under the sidewalk close to curb line. Top of tank to be below the level of the lowest pipe at which oil is burned. Filling pipe of not exceeding twelve (12) inches in diameter to be closed by screw cap. The tank must be ventilated by Pipe of not less than two (2) inches in diameter, extending at least ten (10) feet above the ground, and provided with a return bend. The oil to be pumped from storage tanks to burners, the suction pipe to lead through the top of the tank and to be provided with a shut-off valve near burning point, independent of any valve that is part of the burner. The storage tank must be connected with boiler by steam pipe, which can, if desired, be connected with the over flow pipe, and should be blown out before being entered for cleaning or other purposes, but this pipe must not be used for heating the oil in the tank. If the oil is heated it must be by a device outside of the storage tank.

(b) To properly clean the tank a man-hole may be provided, which if provided, must be closed above by a hinged and locked cover, and below (at the top of the tank) by a boiler plate cover, flanged and screwed. The space thus formed must be filled, while not used, with sacks of sand to prevent the accumulation of gas. The space between the retaining walls and tank must be filled solidly with earth or sand, so that no vapor can accumulate.

(c) All storage tanks shall be placed in the spot agreed upon with the applicant and the Fire Marshal.

(d) Where the sidewalk is not excavated for basement use, the top of all storage tanks must be at least four (4) feet below the sidewalk; the space between the top of the tank and the sidewalk shall be filled with earth.

(e) Where the sidewalk is excavated and used as part of basement, the top of the tank must be level with the boiler room floor; a brick or concrete wall not less than twelve (12) inches in thickness shall be constructed around said storage tank, extending from bottom of tank up to four (4) feet above the top of said storage tank; the space between the top of the tank and the top of the wall shall be filled with earth, the earth covered with at least three (3) inches of concrete.

(f) Where it is desired to utilize all space under the sidewalk for basement purposes, the top of the storage tank shall be at least four (4) feet below the basement floor; a brick or concrete wall not less than twelve (12) inches in thickness shall be constructed around said storage tank, extending from bottom of tank up to basement floor; the space between the top of the tank and the basement floor shall be filled with earth, the earth covered with a concrete flooring.

(g) All storage tanks shall be surrounded with a brick or concrete wall not less than twelve (12) inches in thickness. The top of all storage tanks must be below the grate bars of the fire and must also be covered with four (4) feet of earth.

(h) No storage tank shall be covered with earth until an inspection has been made by the Fire Marshal.

(i) All tanks stored in basements under the sidewalk must go close to the retaining wall of the street.

(j) All tanks must be carefully caulked and riveted, and all piping must be done in the best possible manner, and first class material only must be used.

When located outside of the Fire Limits and in a district purely residential, gravity distillate burning systems may be installed in either of the following manners according to the capacity of the tanks used:

1. A steel or iron tank of not exceeding two hundred and fifty (250) gallons capacity may be placed not nearer than five (5) feet to any building or structure or part thereof. The pipe through said tank to the said burner shall not exceed one fourth (¼) of an inch in diameter and must be fitted with shut-out valves independent of the burner at the tank and on both sides of the building wall through which it penetrates. Such tank may be installed either above or below ground with or without a concrete casing provided, however, that when possible to obtain a gravity flow the tank shall be buried at least two (2) feet underground. The bottom of any such tank shall in no case be at a height to exceed five (5) feet above the plane of the burning points: or

2. The burner may be supplied from a vented metal tank of not exceeding ten (10) gallons capacity, placed not nearer than ten (10) feet to any building or structure or part thereof, which tank may be filled, by gravity or pump, from a vented metal tank of not exceeding six hundred (600) gallons capacity, buried two (2) feet underground and not within five (5) feet of any building or structure or part thereof, if underground, and if above ground not nearer than twenty (20) feet to any building or structure or part thereof, to be surrounded by a brick or concrete wall of not less than thirteen (13) inches thick, and covered with a roof of incombustible material. The supply pipe from this tank to the smaller tank shall not exceed three-fourths (¾) of an inch in diameter, shall be provided with a shut-off valve at a point just outside the smaller tank, and also when practicable with a similar valve just outside the larger tank. The system to be installed so oil will not gravitate from the large tank to burners.

When located outside of the Fire Limits, and in a district not purely residential, gravity distillate systems may be used if installed as follows:

A vented metal tank of not exceeding two hundred and fifty (250) gallons capacity shall be placed not nearer than ten (10) feet to any building or structure or part thereof. The supply pipe from said tank to the burner shall not exceed one fourth (¼) of an inch in diameter, and shall be fitted with three shut-off valves

independent of the one governing the burner, one to be immediately at the tank, and one at a point immediately on each side of the building wall penetrated by said pipe.

(c) All storage tanks shall be placed in the spot agreed upon with the applicant and the Fire Marshal.

(d) Where the sidewalk is not excavated for basement use, the top of all storage tanks must be at least four (4) feet below the sidewalk; the space between the top of the tank and the sidewalk shall be filled with earth.

(e) Where the sidewalk is excavated and used as part of basement, the top of the tank must be level with the boiler room floor; a brick or concrete wall not less than twelve (12) inches in thickness shall be constructed around said storage tank, extending from bottom of tank up to four (4) feet above the top of said storage tank; the space between the top of the tank and the top of the wall shall be filled with earth, the earth covered with at least three (3) inches of concrete.

(f) Where it is desired to utilize all space under the sidewalk for basement purposes, the top of the storage tank shall be at least four (4) feet below the basement floor; a brick or concrete wall not less than twelve (12) inches in thickness shall be constructed around said storage tank, extending from bottom of tank up to basement floor; the space between the top of the tank and the basement floor shall be filled with earth, the earth covered with a concrete flooring.

(g) All storage tanks shall be surrounded with a brick or concrete wall not less than twelve (12) inches in thickness. The top of all storage tanks must be below the grate bars of the fire and must also be covered with four (4) feet of earth.

(h) No storage tank shall be covered with earth until an inspection has been made by the Fire Marshal.

(i) All tanks stored in basements under the sidewalk must go close to the retaining wall of the street.

(j) All tanks must be carefully caulked and riveted, and all piping must be done in the best possible manner, and first class material only must be used.

Section 327: Small Quantities of Petroleum Products to Be Kept in Metallic Cans. All gasoline, benzine, naptha, kerosene, coal oil or any product of petroleum or hydro-carbon liquids in any

quantity permitted in this ordinance shall always be kept in metallic cans or tanks.

Section 328: Exemption of Automobiles From Provisions of This Article. None of the provisions of this article shall apply to the storage or use of gasoline or any refined petroleum products in the tanks attached to automobiles or other motor vehicles.

Section 329: Each Day's Violation a Separate Offense. Every day's continuance of a violation of any of the provisions of this article shall be deemed to be a separate and distinct offense.

Section 330: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

CHAPTER VI

PUBLIC HEALTH, SAFETY AND SANITATION.

Article 1—BOARD OF HEALTH.

Section 331: Requiring, Registration By Physicians And Mid-Wives. Every physician practicing medicine or midwifery in the City of Alameda shall register his or her name in the Register kept for that purpose in the office of the Board of Health of said city, and shall also state in said register the name of the medical college from which he or she graduated, and the date of his or her graduation; or, if not a graduate from any medical college, such person shall state the legal authority by which he or she is entitled to practice medicine or midwifery and the place where, and the date when, such legal authority was conferred.

Section 332: Requiring Reports of Various Diseases And of Births And Deaths. Every physician practicing medicine in said city immediately upon ascertaining that he or she has a patient within the city's limits afflicted with either of the following named contagious or infectious diseases, viz.: Asiatic cholera, variola, varioloid, diphtheria, scarlet fever, or measles, typhus or typhoid fever, whooping cough, or other diseases specified by the State Board of Health or its Secretary, shall ,without delay, re-

port such patient, in writing to the Board of Health, or to the Health Officer, and shall also report to said Board or to the Health Officer every case of death occurring, under his or her observation, from any contagious or infectious disease, or from any other cause, immediately after it shall have occurred; and said physicians and all persons who may be practicing midwifery in said city, shall report to said Board, or to the Health Officer, the name, sex, and color of every child born under his or her care in said city, together with the date of its birth, the names of its father and mother, and their birthplaces, occupation, and residence; and it shall be the duty of every householder in said city to report in writing to the Board of Health, or some officer thereof, in like manner as is required of physicians, the name of every person stopping at his or her house whom they shall have reason to believe is sick with any of the above-named contagious or infectious diseases, when no physician is employed to care for such sick person; and in case the birth of a child has occurred without the attendance of a physician or midwife, then it shall be the duty of the parents of such child to make the above required report of said birth; these reports of birth to be made by physicians, midwives, nurses and parents, as herein provided, not later than the fifth day of the month subsequent to the month in which said child shall be born.

Section 333: Burial of Persons Dying From Dangerous Diseases. The bodies of persons dying in said city from Asiastic cholera, variola, varioloid, diphtheria, scarlet fever and typhus fever shall not be removed from the premises where death occurred (unless such removal be to undertaker's rooms) until taken from them for burial; and such burial shall be within twenty-four hours after death, and private, without gathering of friends or public ceremonies.

Section 334: Keeping Dead Human Bodies Without Permit. No person shall keep or allow to be kept on any premises owned, occupied or controlled by him in the City of Alameda any dead human body for more than one week without special permission from the Board of Health of said city, which permission shall be granted only upon good cause being shown therefor.

Section 335: Removal of Dead Human Bodies. No person shall convey any dead human body into or from within the corporate

limits of the City of Alameda without first obtaining a permit therefor from the Board of Health or Health Officer of said city, and filing with said Board of Health a certificate showing the date, locality, and cause of death, and when the same can be ascertained, the full name, age, sex, color, nationality, and the occupation of the deceased person, and whether the same was single, married, widow, or widower. No charge shall be made for said permit. Said Board of Health or Health Officer shall issue said permit upon the presentation and filing of said certificate.

Section 336: Authorizing Board of Health to Post Certain Notices. The Board of Health is hereby empowered to post notices not exceeding eight inches by four inches in size upon any building or premises, or upon any portion of the same, in which there exists any case of smallpox, scarlet fever, diphtheria or other diseases specified by the State Board of Health or its Secretary.

Section 337: Defacing or Tearing Down Notices of Board of Health. No person shall deface, tear down or destroy any notice or proclamation set up by authority of the Board of Health of the City of Alameda in said city before the time for which the same was to remain set up has expired.

Section 338: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 2—IMPURE OR UNWHOLESOME FOODS IN GENERAL.

Section 339: Unwholesome Meat. It shall be unlawful for any person to sell or offer for sale in said city any blown, diseased, tainted, or bad meat or fish, or the flesh of any animal which was, when killed, sick or diseased, or the flesh of any animal which died a natural or accidental death, or the flesh of any calf which was killed prior to its attaining the age of four (4) weeks.

Section 340: Unwholesome or Adulterated Vegetables or Foods. It shall be unlawful for any person to offer, sell, or keep for sale in said city any unsound, diseased, or unwholesome fruit, vegetables or other market produce, or any adulterated article of food.

Section 341: Keeping Unwholesome Food In Same Room With Good. It shall be unlawful for any person in said city to keep any of the articles of food herein mentioned which are in an unwholesome condition, in the same room with any other food.

Section 342: Protection of Food Products Offered For Sale. No person shall keep or expose for sale in the City of Alameda any fruits, meats, vegetables, or other produce unless the same are kept in boxes or cases covered with fly proof covers, or kept on racks, counters, shelves, hooks, or stands so as to be placed at least two feet above the floor of the store or place where said articles are exposed for sale.

Section 343: Necessity to Use New Receptacles In Offering Fruit For Sale. No person shall bring into the City of Alameda for sale, or in said city sell or offer for sale, any berries, peaches, plums, cherries, or nectarines contained in any box, basket, bag, or other receptacle which is not entirely new and previously unused, except that this article shall not apply to chests, crates, or baskets which are used in the transportation of smaller boxes or packages containing fruits.

Section 344: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 3—MILK REGULATIONS.

Section 345: Board of Health Intrusted With Regulation And Control. The Board of Health of the City of Alameda is hereby authorized, empowered and directed to regulate and control the traffic in milk in said city, to provide for the inspection of milk in said City of Alameda, and for the inspection of dairies and dairy cows producing milk for sale or consumption within said city.

Section 346: Necessity For Permit to Vend Milk. No milk producer or milk vendor shall, after this ordinance becomes operative, either himself or through his agents, servants or employees offer or expose for sale, or sell or deliver for sale, use or consumption within the City of Alameda any milk without first having obtained from the Board of Health of the City of Alameda a permit so to do, as hereinafter provided.

Section 347: What Application For Permit Should Contain. To procure such a permit, the applicant shall present to said Board of Health a written application, and shall state therein the name, and business and residence address of the applicant or applicants, the source or sources from when said applicant or applicants obtain or will obtain supplies of milk, the number of cows in the possession of such applicant, and the manner and character of such disposition, such application to be made to the said Board of Health upon printed blanks to be provided by the Board of Health upon printed blanks to be provided by the oBard of Health for such purpose. Such application shall further state the specific brand or business name, if any, under which said milk is to be sold, exchanged or distributed.

Section 348 Issuance of Permit—No Cost. If the Board of Health, upon such application, shall determine that the statements therein made are true, it shall be the duty of the Board of Health to issue without cost to said applicant, a permit to bring into, sell, expose or offer for sale, exchange, deliver or distribute milk within the City of Alameda, and all such written statements required as aforesaid shall be registered in a register to be provided by the said Board of Health, and kept for that purpose.

Section 349: What Allowable Under Permit—Revocability. One such permit shall be required for each place of general sale or storage of milk. Such permits shall be issued only in the name of the owners of the supply of milk thus on storage or for sale, and shall for the purpose of this article be conclusive evidence of such ownership. No such permit shall be sold or assigned or transferred. Such permits shall be subject at all times to revocation by said Board of Health in its discretion upon sufficient cause therefore shown; provided, however, that no such permit shall be revoked until after a hearing given by said Board of Health in the matter of the revocation of such permit after five (5) days' notice in writing has been served on the owner of such permit in the manner prescribed for the service of notice by Section 1011 of the Code of Civil Procedure of the State of California, which notice shall state the ground of complaint against such owner, and the time and place where such hearing shall take place; and provided, further that no permit shall be revoked by said Board of Health for

the first offense, without the unanimous consent of all the members of said Board.

At least once in each year every person or persons, firm or corporation holding such permit shall register with the said Board of Health his or their name and permit number, and shall make a written statement to said Board of Health, containing all the information required to be given by applicants for permits in their written application for permits as hereinbefore provided, and all applications for permits, and all such written statements required as aforesaid, shall be registered in a register to be provided by the said Board of Health and kept for that purpose.

Section 350: Necessity For Display of License Number. No person, or persons, firm or corporation shall sell or expose for sale or exchange or deliver or distribute within the limits of the City of Alameda milk from any wagon or vehicle unless such wagon or vehicle shall have exposed on both sides thereof the permit number of the person or persons, firm or corporation selling or offering or exposing for sale or distributing, or delivering or exchanging such milk. Such permit number shall be painted on said wagon or vehicle in numbers not less than three inches in height, in what is known as Arabic numerals, and shall be placed on said wagon or vehicle under the direction and according to the requirements of the said Board of Health.

Section 351: Impure, Adulterated, Unhealthy or Unwholesome Milk. It shall be unlawful for any person or persons, firm or corporation, by themselves or by their agents, servants or employes in the City of Alameda, State of California, to render or manufacture, sell, offer for sale, exchange, deliver, distribute or have in his or its possession, with intent to sell, expose, or offer for sale or exchange, or distribute for human consumption, any impure, adulterated, unhealthy or unwholesome milk.

Section 352: Adulterated And Unwholesome Milk Defined. The terms adulterated, impure, unhealthy or unwholesome milk as used in this ordinance mean.

1st. Milk containing less than twelve (12) per centum of milk solids.

2nd. Milk containing more than eighty-eight (88) per centum of water or fluids.

3rd. Milk produced during the months of May, June or July which contains less than three and two-tenths (3.2) per centum of butter fats and milk produced at other times which contains less than three and four tenths (3.4) per centum of butter fats.

4th. Milk drawn from cows within fifteen days before or within ten days after parturition.

5th. Milk drawn from cows fed on any unhealthy or unwholesome food.

6th. Milk drawn from cows kept in an unhealthy or unsanitary condition, or from cows affected with any form of disease, or from cows which are supplied with water which is impure or unwholesome.

7th. Milk from which any part of the cream has been removed.

8th. Milk which has been diluted with water or skim milk or with any other fluid or to which has been added or into which has been introduced any foreign substances whatever.

9th. Milk drawn from cows or by milkers that are themselves in a condition of filth or uncleanliness.

10th. Any milk which is shown by analysis to contain any substance or substances of any character whatsoever not natural nor normal constituents of milk, or to have been deprived either wholly or in part of any constituent naturally or nomally contained in milk.

Section 353: Carrying Contaminating Materials or Articles on Milk Wagon. It shall be unlawful for any person or persons, firm or corporation to have or carry on any wagon or vehicle upon or from which milk or cream is being or is bought, carried, stored, deposited, sold, exchanged, delivered or distributed or offered or exposed for sale or distribution as food for any human being, any swill, garbage, refuse or any decaying or fermenting, putrifying, foul, unwholesome, noxious or filthy matter, or any cans or receptacles containing any material or substance with which cream or milk might be diluted, adulterated or rendered impure, unwholesome or unhealthy.

Section 354: Right of Board of Health to Inspect Premises. In order to carry out the purpose and provisions of this order, the said Board of Health and all its officers, agents and employes shall have the right at any and all times to enter upon or into the premises of any producer or vendor or distributor of milk authorized

under the provisions of this ordinance, and any refusal upon the part of such producer, vendor or distributor to allow such entry and such inspection as may be required and directed by the said Board of Health, may be punished by the revocation of the permit of such producer, distributor or vendor by the said Board of Health.

Section 355: Care to Be Taken of Milk Cans or Receptacles. No person or his employees or agents, or as the employee or agent of any other person, firm or corporation having custody of a can, jar, bottle, measure or other vessel used as a container for milk, skimmed milk, butter milk, sour milk, whey, cream or other milk product destined for sale, shall cause or permit the same to be used for cooking purposes, or shall place or cause to be placed therein any offal, swill, animal or vegetable matter, or any article or substance other than milk, skimmed milk, butter milk, sour milk, whey, cream or other milk produce, or water or other agent used for cleansing said can, jar, bottle, measure or other vessel, and no milk cans or milk vessels that are rusty or rust eaten or otherwise unfit, shall be used.

Section 356: Duty to Cleanse Milk Cans And How to Be Done. No person or dealer in milk or milk products and no employee or agent of such a dealer shall send, ship, return, or deliver or cause, or permit to be sent, shipped, returned; or delivered to any producer, dealer in, or consumer of milk, any can, jar, bottle, measure or other vessel used as a container of milk, skimmed milk, butter milk, sour milk, whey, cream or other milk produce without thoroughly cleaning and cleansing by the use of boiling water, steam or other proper agent such can, jar, bottle, measure or other vessel, used as a container for milk, skimmed milk, butter milk, sour milk, whey, cream or other milk produce.

Section 357: Removal of Milk Cans or Receptacles From Places Where Diseases Exist. No person shall remove from any dwelling in which exists any case of communicable disease, any bottles or other receptacles which have been or which are to be used for containing, or storing milk, skimmed milk, butter milk, sour milk, whey, cream or other milk product, except with the permission of the Board of Health.

Section 358: Duty of Board of Health to Inspect. It shall be the duty of the said Board of Health to cause the dairies and other establishments from which milk brought into the City of Alameda is obtained, to be inspected from time to time to satisfy such Board that the provisions and requirements of this ordinance are constantly complied with.

Section 359: Right of Board of Health to Inspect Places Where Milk Kept. The said Board and all its officers, agents and employes shall have the right and it shall be their duty to enter and have full access, egress and ingress to all places where milk is stored or kept for sale, and to all wagons, carriages or other vehicles, railroad cars, steamboats or conveyances of every kind used for the conveyance or transportation or delivery of milk, for the purpose of consumption in the City of Alameda.

Section 360: Right of Board of Health to Take Samples—How to Be Taken. The Board of Health and all its officers, agents and employees shall have the right at any time to take sample of milk from any person, persons or concern selling or delivering or distributing milk in the City of Alameda, not exceeding, however, one quart thereof, such sample to be taken and sealed in full view and in the presence of the persons from whom said sample is taken, and shall then and there furnish to the person from whom such milk is taken, one-half of such sample hermetically sealed and shall deliver to said Board of Health immediately the sample so taken hermetically sealed. Such samples shall have written thereon, at the time of the delivery thereof to said Board of Healthfi the number of the dealer's permit, and the date of the obtainment of the sampl,e and th nam of th prson by whom it was takn, and a memorandum thereof shall be made by the person obtaining such sample in a book kept for that purpose in the office of the Board of Health, showing the name of the owner or driver from whom, and the date when the same was taken, and the number of the dealer's permit.

Section 361: Duty of Dairy Owner to Report Probability of Impure Milk. It shall be the duty of the owner, agent or manager of any dairy in the City of Alameda or of any dairy from which milk is brought into said city, to forthwith report to the Board of Health of said city in writing, anything of which he has

knowledge or notice tending to render milk obtained from such dairy unwholesome, impure or unhealthy.

Section 362: Interference With Inspection. It shall be unlawful for any person or persons, firm or corporation, to obstruct or interfere with the said Board of Health, or any officer, agent or employe of said Board, in the performance of any of the duties required by this ordinance.

Section 363: Sale of Condensed Milk—Butter Milk—Sour Milk. Nothing herein contained shall be construed to prevent or prohibit the use, sale or manufacture of what is known as condensed milk, or what is known as butter milk, or what is known as sour milk, provided the same are made, compounded or prepared from pure, clean, fresh, wholesome and unadulterated milk within the meaning of this ordinance and are in sound wholesome condition; and provided also, that in the case of condensed milk, the proportion of milk solids shall be equivalent to twelve (12) per centum of milk solids in crude milk, and that of such solids twenty-six and one-half (26½) per centum shall be fat.

Section 364: Inspection of Transported Milk. It shall be the duty of all owners and consignees of milk brought into the City of Alameda by any water craft, to have the same tendered and exposed for inspection by the said Board of Health, its officers, agents or employees according to the requirements of said Board of Health; provided, that said milk shall not be detained for inspection for a longer period than one hour. It shall be the duty of the owner or consignee of milk brought into the City of Alameda by land over any road or railroad leading into the City of Alameda to cause the same to be tendered and exposed for inspection according to the requirements of said Board of Health pro vided that said milk shall not be detained for inspection a longer period than one hour.

Section 365: Dairies to Be Kept In Clean Condition. Every owner, lessee, tenant, occupant, proprietor or manager of any dairy in said city shall cause every part thereof and its appurtenance to be put and shall thereafter cause the same to be kept in a cleanly and wholesome condition, and shall cause every part thereof in which any person may sleep, dwell or work to be adequately

lighted and ventilated according to the direction and to the satisfaction of the Board of Health; and proper accomodations for urinals, water closets, bath tubs and washing utensils shall be provided, according to the directions and to the satisfaction of the Board of Health, but in no case shall any open urinal or water closet, or manure pit, or dung pit, or privy well be allowed or permitted within any building or structure or any part thereof, in which cattle are milked.

Section 366: What Cleaning Work to Be Done Daily. It is hereby made the duty of every owner, lessee, tenant, occupant, proprietor or manager of any dairy within said City to thoroughly and effectually cleanse at least once in every twenty-four hours the walls, floors and yards of every building and structure; or part thereof, which may be in use for the accomodation or shelter of cattle, and also to remove the contents of any manure pit on the premises once in each week.

Section 367: Animals to Be In Healthy Condition—Also Milker.. No milk shall be taken from any cow, goat or other milk-producing animal unless such animal shall be in a clean condition; nor shall any such milk be taken from any such animal except by employe or other person who is himself in a cleanly, wholesome and healthy condition.

Section 368: To Feed Cattle Only Wholesome Food. No owner, lessee, tenant, occupant, proprietor or manager of any such dairy shall feed to his cows or other cattle or have in his possession with intent to feed to such cattle, any garbage, refuse, swill or other improper food, or shall sell or offer for sale within said City the milk from such cattle, nor shall any person within said City receive or sell, or offer for sale, or keep for sale, or have in possession, any such milk; nor shall the milk of any cattle which may be kept in any place where the water, ventilation, food or surroundings are not wholesome, or are not conducive to the health, safe condition and wholesomeness of such cattle, or of their milk be sold, offered for sale, kept for sale, had in possession or brought within said City.

Section 369: Milk From Animals Fed On Certain Foods. No person shall bring within said City, or at any place therein sell, or deliver, or offer, or have for sale, or retain it in possession, any

unwholesome, watered or otherwise adulterated milk, cream, butter or cheese, or milk known as "swill milk," or milk from cows or other animals that for the most part have been kept in stables, or that have been fed in whole or in part on swill or milk from sick or diseased cows or other cattle, or any cream, butter or cheese made from such milk, or any milk, cream, butter or cheese produced by or from any such cattle which may have been exposed to emanation from or infections by any communicable disease.

Section 370: Sale of Skimmed Milk. Pure skimmed milk shall be permitted for sale or delivery provided that the cans or vessels containing such skimmed milk shall be distinctly labeled "skimmed milk"; and further provided, that such "skimmed milk" shall not be carried in wagons or vehicles in which "whole milk" is carried, sold or delivered, or pretended to be carried or sold.

Section 371: Misdemeanor. Every person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 4—THE CONTROL AND ERADICATION OF RABIES.

Section 372: Duty of Custodian of Dog Suspected of Rabies—Duty of Health Officer. Any person having in confinement dogs suspected of rabies shall report the suspicion to the Health Officer of their City of Alameda and shall submit such dog to the examination of the Health Officer or his representative, and it shall be the duty of the Health Officer, when called upon, to examine, or have examined, such dog if it is suspected of having rabies, and to ascertain whether or not such dog is afflicted with rabies.

Section 373: Disposition of Dogs Suspected of Rabies. Dogs suspected of having rabies shall not be killed, but shall be kept in confinement until the Health Officer or his representative shall find that further observation of the live animal is not necessary for the determination of the presence or absence of rabies. After the permission of the Health Officer has been secured, dogs afflicted with rabies may be killed. The person or officer capturing any dog shall, if the owner thereof is known to him, notify such owner that such dog has been captured. If any dog is found not to be afflicted with rabies and is not reclaimed by the owner thereof or other person claiming the same within five days after capture,

such dog shall be killed in some humane manner by the person capturing the same, or the officer to whom the dog was delivered.

Section 374: Duty of Custodian of Dog Showing Symptoms of Rabies. Whenever the owner or person having the custody or possession of any animal shall observe or learn of rabies, or has acted in a manner which would lead a reasonable man to a suspicion that it might have rabies, such owner or person having the custody or possession of such animal shall immediately notify the Health Officer or his representative, and shall allow the Health Officer or his representative to make an inspection or examination of such animal, and to quarantine such animal until it shall be established to the satisfaction of said official that such animal has or has not rabies.

Section 375: Duty of Custodian of Dog Which Has Bitten Any Person. Whenever it is shown that any dog has bitten any person, the owner or person having the custody or possession thereof shall, upon order of the Health officer, deliver said dog to the Poundmaster who shall quarantine it and keep it tied up or confined for a period of two weeks, and the Health Officer may make an inspection or examination thereof at any time during said period. If it shall appear to the Health Officer, upon examination as aforesaid. or otherwise, that a dog has rabies, he may kill it forthwith.

Section 376: Duty of Custodian of Animal Bitten By Another Affected With Rabies. Whenever any animal shall be bitten by another animal having rabies, the owner or person having the custody or possession of the animal os bitten shall, upon being informed thereof, either kill such animal or quarantine it and keep it tied up or confined for a period of six months, and the Health officer shall have power, in his discretion, to kill or quarantine the animal so bitten, in case the owner or person having custody or possession thereof shall fail to do so immediately, or in case the owner or person having custody thereof is not readily accessible.

Section 377: Transportation of Dogs From District In Which Rabies Exists. No person shall bring a dog into the City of Alameda from any part of any country in which rabies has been known to exist within six months previously, except upon the written permission of the Health officer of the City of Alameda;

and such permission is to be granted only if the Health Officer is convinced that said dog, whenever in this City during a subsequent period of six months, will be confined or muzzled.

Section 378: Poundmaster's Fee Where Dogs Reclaimed. Any person reclaiming any dog confined with the Poundmaster under the provisions of this article shall pay to the Poundmaster such fee or fees as he is allowed by ordinance for the reclaiming of stray and unlicensed dogs and such fees when so collected by said Poundmaster shall be by him immediately paid into the Treasury of the City of Alameda and shall be thereafter by the City Treasurer placed in the General Fund.

Section 379: Misdemeanor. Any person violating any of the provisions of the provisions of this Article shall be deemed guilty of a misdemeanor.

Article 5—VETERINARY SURGEONS AND DISEASED ANIMALS.

Section 380: Veterinary Surgeons to Report Contagious Diseases. Every veterinary surgeon practicing in the City of Alameda shall immediately report, in writing, to the Health Officer of said City every case of contagious pleuro-pneumonia, tuberculosis, foot and mouth disease, anthrax, Texas fever, actinomycosis, glanders, farcy, or hydrophobia with which any animal he shall treat or examine shall be effected.

Section 381: Animals Afflicted With Tuberculosis. No person shall bring into the City of Alameda or keep within said city, or permit to be kept on any premises owned or controlled by him within said City, any cow, or calf, or other animal of the bovine species afflicted with tuberculosis.

Section 382: Horses Afflicted With Glanders. No person shall bring into the City of Alameda, or keep within said City, or permit to be kept on any premises owned or controlled by him within said City, any horse afflicted with glanders.

Section 383: Authorizing Destruction of Animals So Afflicted. The Board of Health and its authorized agents is hereby empowered under such regulations as it may determine to cause the des-

truction of any cow or calf found in this city afflicted with tuberculosis or horse affected with glanders.

Section 384: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 6—SANITARY REGULATIONS.

Section 385: Regulating The Accumulation And Disposal of Garbage. It shall be the duty of the tenant, lessee or occupant of any private or other dwelling house or building in said city to provide and maintain for each such dwelling house or building so occupied by him and within the same or upon the lot or premises upon which the same is located, at least one tight, galvanized iron or metal tank or receptacle suitable and adequate for receiving and holding and in which shall be deposited all the solid kitchen and table refuse and offal, swill and every accumulation thereof created upon such premises; and it shall be the duty of such person at least once in every seven days or as often as such can or receptacle shall become filled to cause the contents of the same to be removed from said premises and disposed of in accordance with law. All such receptacles shall be provided with a cover having holes not less than one sixteenth of an inch each and sufficient in number to permit of free ventilation and shall be kept covered except when contents are being removed or when garbage is being placed in the same. All members of the Board of Health or any employes thereof shall have authority to designate the location of said con or receptacle upon the premises where the same is kept.

Section 386: Dumpage Ground For Garbage. No person shall permit any land owned, leased, occupied or controlled by him in the City of Alameda to be used as a dumpage ground for the contents of swill carts, or garbage, offal, filth, rubbish or other refuse matter of any kind whatever, except in that portion of said city hereinafter described, and no person shall deposit the contents of any swill cart, or garbage cart, or garbage, ashes, offal, rubbage, filth or other refuse matter upon any land in said city except within that portion of said city lying to land in said city except within that portion of said city lying to the east of Bay Farm Island Road, to the south of the Bay of San Leandro and to the north of the upland of Bay Farm Island.

Section 387: Maintenance of Barns And Stables. No person in said city shall erect, keep or maintain any stable, barn or stall within any distance less than twenty-five feet from any schoolhouse or church, or from the dwelling house owned or occupied by any other person.

Section 388: Keeping of Horses Within Certain Distance of Residence. No person in said city shall keep any horse or mule in any stable, barn, stall, shed, or stable yard within any distance less than twenty-five feet from any schoolhouse or church, or from any dwelling house owned or occupied by any other person.

Section 389: Duty to Place Manure Used As Fertilizer Under Ground. It shall be the duty of every person using manure as a fertilizer to place said manure under ground, provided, however, that he may allow it to remain on the ground for a period not exceeding 48 hours after spreading or placing it thereon.

Section 390: Keeping Manure In Suitable Receptacles. Upon the removal of manure or other refuse from stables the same shall not be piled or kept within any distance less than twenty feet from any schoolhouse or church, or from the dwelling house, owned or occupied by any other person, but said refuse must be kept in a box or receptacle with a tight cover and be removed from the premises within forty-eight hours.

Section 391: Exemption of Livery Stables. Public livery stables maintained in the City of Alameda the date of this article are exempted from the operation of Sections 387 and 388 thereof.

Section 392: Maintenance of Livery or Boarding Stables. No person, firm or corporation in that part of Alameda hereinafter bounded and described shall, after the passage of this ordinance, establish and maintain, or establish any stable where more than four horses, mules or other draft animals are kept, stabled, boarded or fed unless said stable shall have walls of brick masonry or concrete and shall have a ground floor of cement and a roof of metal or other in combustible material.

The part of said City of Alameda above mentioned shall consist of that portion of said city bounded by the following described line, to-wit: Commencing at the western extremity of Pacific Avenue and running thence easterly along the center line thereof to the center line of Webster or Seventh Street, thence northerly

along the center line of the street last mentioned to the center line of Eagle Avenue, thence easterly along the center line of Eagle Avenue to the center line of Grand Street, thence northerly along the center line of Grand Street to the center line of Clement Avenue, thence easterly along the center line of Clement Avenue to the center line of Broadway, thence in a right line easterly and parallel with Santa Clara Avenue to the shore line of the tidal canal, thence southerly along shore line thereof and of Bay of San Leandro and of Bay of San Francisco and westerly along said shore line to the point of commencement.

Section 393: Storage of More Than One Ton of Manure—Necessity For Permit. No person shall keep, have, store or maintain and no person shall permit the keeping, having, storage or maintenance on any premises in the City of Alameda, owned, occupied or controlled by him, of more than one ton of manure or other fertilizing matter, without first obtaining a permit so to do from the Board of Health or Health Officer of said City of Alameda.

The Health Officer, and Board of Health are hereby authorized to issue such permits and, to revoke the same whenever in their judgment such action should be had in the interest of public health and sanitation, and upon such revocation being had the privilege conferred by such permit so revoked shall cease and terminate with like effect as if such permit had not been issued.

Section 394: Separate Offenses For Each Day. A violation by any person of any of the provisions of section 393 of this article for more than one day, shall constitute a separate offense for each and every day that said violation continues.

Section 395: Keeping of Cows Requiring maintenance of Certain Area For Each Cow Kept. Every person who owns, keeps, stables, feeds, herds, pickets or milks any cow or cows in the City of Alameda shall provide and use for each cow so owned, kept, stabled, fed, herded, picketed or milked, an undivided area of at least eight hundred and twenty-feet (825) square yards of ground.

Section 396: Prohibiting Leasing of Less Area. No person shall permit any ground in the City of Alameda owned, leased, occupied or controlled by him to be used for the keeping, stabling, feeding, herding, picketing or milking of any cow or cows in violation of the provisions of Section 395 of this article.

Section 397: Limiting Proximity to Residence. No person shall, in said City, keep any cow or bull in any cow shed, or cow yard within any distance less than twenty-five feet from the dwelling house owned or occupied by any other person.

Section 398: Keeping of Swine. No person in the City of Alameda shall keep or permit to be kept on premises owned, occupied or controlled by him any swine, unless the inclosure in which the same are kept is at least three hundred feet distant from premises owned or occupied by any other person; and no person shall keep at any place in said city, excepting upon Bay Farm Island, more than five head of swine, unless the enclosure where said swine are kept is equal to one acre to each head of swine.

Section 399: Regulating the Keeping of Chickens And Other Domestic Fowl. It shall be unlawful for any person, firm or corporation to keep on any premises owned, occupied or controlled by him or it in the City of Alameda, any chickens, ducks, pigeons,, geese, turkeys, or other domestic fowl, unless such fowls are kept in an enclosure, no part of which is within twenty (20) feet of any dwelling-house occupied by human beings, excepting any and all dwelling-houses owned or occupied by such person, firm or corporation; provided that any of said fowls may be kept temporarily for purpose of sale at any shop or place of business where the same are bought, sold and dealt in.

Section 400: Coops And Enclosures to Be Sanitary. All coops and enclosures in which any such fowl are kept must be kept in a sanitary manner, and be regularly cleaned, in order to prevent any accumulation of manure or offal.

Section 401: Disposition of Dead Animals. No person shall deposit or place any dead animal upon or in the ground, or upon the tide lands within the limits of the City of Alameda, without burying the same at least two feet below the natural surface of the ground; and no person shall deposit or place any dead animal in the waters of the Bay of San Francisco, or any of its estuaries within the City of Alameda.

Section 402: Keeping Occupied Premises Connected With Running Water.. No person shall, in the City of Alameda, occupy any building wthout having all plumbing in said building connected

with water under constant pressure so that the said plumbing may be flushed when necessary so to do.

Section 403: Duty to Flush Plumbing Pipes. Every person occupying a building in the City of Alameda, shall whenever it is necessary so to do or when requested so to do by an officer of the Board of Health of the city, flush the plumbing pipes of such building by turning on water under pressure into said pipes.

Section 404: Misdemeanor. Any person who shall violate any of the provisions of this article shall be guilty of a misdemeanor.

Article 7—THE POUNDMASTER AND HIS DUTIES.

Section 405: Establishment of Public Pound. A public pound is hereby authorized and established, which pound shall be located at a place to be designated from time to time by resolution of the City Council.

Section 406: Duties of Poundmaster. It shall be the duty of the Poundmaster to take up, seize, and impound all horses, mules, asses, goats, cows, bulls, calves, sheep, swine, untagged dogs, or other domestic animals, or any of such animals, found running at large or estrayed, or herded in charge of any person, or staked, or in any manner grazing, or being grazed or fed, upon any public street, way, square, park, or place in said city (excepting on Bay Farm Island), or any of said animals which is upon or being led or driven upon any improved sidewalk in said city.

Section 407: Right to Impound Trespassing Animals or Fowls. Any animal or fowl found trespassing upon any private property in said city may be taken up by any person and committed to the custody of the Poundmaster, who shall hold the same subject to reasonable demands for actual damage done by said animal or fowl, in addition to the fees prescribed herein.

Section 408: Duty to Keep Record of Impounded Animals. The Poundmaster shall keep a true and faithful record of the number and description of all animals taken into his custody, with the date of their receipt and the date and manner of their disposal, with the fees and charges collected on account of said animals, and the disposition thereof. Said record to be kept by the Poundmaster in a book or books provided for that purpose, which shall

be the record book or books of the office of the Poundmaster and shall not be removed therefrom. He shall also keep conspicuously posted at the entrance of the pound a list of all animals therein detained. He shall also provide necessary subsistence for all animals while in his custody.

Section 409: Requirements in Respect to Advertising. All animals, except dogs, taken into the custody of the Poundmaster, if not reclaimed within two (2) days thereafter, shall be advertised in the official paper of the City Council as follows:

Horses, cows, bulls, oxen, mules, or asses for seven (7) days; all other animals, five (5) days.

Provided, that swine, sheep, lambs, and goats, and dogs and other small animals or fowls may be advertised by written notice conspicuously posted on the pound gate and on the bulletin board at the Council room door for five (5) days. Said notice shall describe the animals impounded and give time and place of sale.

Section 410: Sale of Impounded Animals And Disposition of Proceeds. At the time specified in and after said advertisement, as provided in Section 408 of this ordinance, or at any postponement thereof, the Poundmaster shall sell for cash all animals so advertised, and out of the proceeds of the sale thereof pay his proper fees and charges, and all reasonable and proper demands made under the provisions of Section 407 of this ordinance.

Any balance of the proceeds of a sale of any animal remaining after the payment of such fees, charges, and demands, shall be paid into the city treasury, for the use of the owner of such animal, if claimed within six (6) months thereafter; if not, the same shall be turned into the general fund of such treasury.

Section 411: Right to Redeem Before Sale. The owner or persons entitled to the control of any animal impounded, may at any time before the sale or other disposition thereof, redeem the same by paying to the Poundmaster all proper fees and charges thereon, made by virtue of any of the provisions of this ordinance.

Section 412: Necessity For Unlicensed Dogs to Be Under Leash. No person owning or having possession of any dog, over three months old, shall suffer or permit the same to be upon any public street of the City without being held or led by a cord, chain, or other thing, or confined in a vehicle, unless such dog has around

its neck such a collar as is in this article provided, or conspicuously attached to its body a strap or buckle, having attached thereto such metallic plate or tag with such inscriptions thereon as are in this article provided, nor unless a license tax for the then current year has been paid as herein stated.

Section 413: Care of Dogs During Period of Oestruation. No person owning or having in possession of any female dog shall suffer or permit the same to be upon any public street of the City during the period of oestruation of said dog without being held or led by a cord, chain, or other thing, or confined in a vehicle; provided that any dog other than a female during such period of oestruation taken up by the Poundmaster shall be released without charge upon its being shown that such dog does not belong in this city, and is not kept or harbored here, and that it has not been within the city limits more than twenty-four hours continuously next preceding the time when it was taken up.

Section 414: Imposition and Collection of License Taxes—Amount. Every person who owns, harbors, or has in his possession or control any dog over three (3) months of age in the City of Alameda shall pay a license tax of Two (2) Dollars per annum for each and every male or female dog so owned, harbored, controlled or possessed by him; and no person shall own, keep, harbor or possess any dog within the corporate limits of the City of Alameda for which the license tax imposed by this ordinance has not been paid. The license tax imposed by this section shall be paid and collected in the manner and at the times prescribed by ordinance for other license taxes and shall be subject to the conditions so prescribed for such other license taxes as far as the same are applicable. A fee of fifty (50) cents shall be paid for each duplicate license tag.

Section 415: Untagged Dogs And Dogs During Oestruation At Large. Every dog over three (3) months old not having on such collar, buckle or strap and tag, and every female dog during the period of oestruation thereof, found or being in any public street of said City and not being held or led by cord, chain, or other thing, nor confined in any vehicle, shall be taken by the Poundmaster to, and impounded in, the Public Pound, where it may be redeemed by the owner or persons theretofore entitled to the possession of it within five (5) days thereafter, on payment to

the Poundmaster of Two (2) Dollars in the case of untagged dogs and Ten (10) Dollars in the case of female dogs taken during the period of oestruation as aforesaid; but, if not so redeemed, such dog shall be killed and buried by the Poundmaster; provided, that the Poundmaster is authorized to keep valuable dogs and sell them and his receipt for the sale thereof, endorsed by the City Clerk, shal be a valid title to the purchaser. If a license tax has not been paid for the then current year, for any impounded dog, the party redeeming must, before redemption, pay such license tax; provided, that in case of loss of tag a duplicate of the same must be obtained as provided in this ordinance, and on presentation of said duplicate tag the owner of said impounded dog shall be entitled to the possession of the same on payment of Fifty (50) cents and costs. Whenever a dog is redeemed, the party redeeming must give to the Poundmaster duplicate receipts of the same, one of which shall be delivered by the Poundmaster with his monthly report. The Poundmaster must give to any person redeeming a dog a receipt for the redemption money. In case it is satisfactorily proven to the Poundmaster that the license tax for the then current year has been paid upon any dog impounded for want of a tag, said dog shall be released upon payment of a fee of Fifty (50) cents and costs.

Section 416: Right of Any Person to Take Up Dog During Oestruation. In addition to the Poundmaster, any person may take up any female dog found or being in any public street of said City during the period of oestruation of said dog, and not being held or led by cord, chain, or other thing, nor confined in any vehicle and it shall be the duty of such person to immediately deliver such female dog to the Poundmaster who shall give to such person a receipt for such female dog and thereafter if such female dog is redeemed or sold, as hereinbefore provided, such person shall be entitled to receive and collect from said Poundmaster the sum of One (1) Dollar out of the redemption fee or proceeds of the sale of such female dog.

Section 417: Chief of Police to Furnish Metallic Tags to Licenses. The Chief of Police is hereby required to procure, at the expense of the city, metallic plates or tags, having thereon the number of the license and figures indicating the year for which the tax has been paid, and he shall register, in a book to be kept for

that purpose, the name of the owner or possessor and a description of the dog for which the license is issued, and the number of the license, and shall deliver such tag, having thereon the number of the license, to every person paying for such license. The cost of such plates or tags shall not exceed twenty-five cents each unless the City Council shall authorize a larger expenditure.

Section 418: Dogs to Have Collar And Tag. Every registered dog shall be provided by the owner or possessor of such dog with a collar, at least three-fourths of an inch in width, and have attached to such collar such a metallic plate or tag having such inscriptions thereon as are specified in Section 416.

Section 419: Right to Duplicate Tag. Whenever a tag issued for the then current year by the Chief of Police has been stolen, or lost, the owner or possessor of the dog for which the same was issued may on the payment of fifty cents to the Chief of Police and on making and subscribing to an affidavit of such loss, and filing the same with the Chief of Police, receive from the Chief of Police a duplicate tag for the remaining portion of the then current year. (As amended by Ord. No. 2, N. S.)

Section 420: Poundmaster to Furnish Monthly Reports. The Poundmaster shall make a true and correct report to the City Council, under oath, on the first Monday of each month, of the number of dogs and other animals and fowls impounded by him during the preceding month, and of the disposition made of them, and of the number redeemed and by whom redeemed, and of the amount of money received for redemption or otherwise. He shall be entitled to retain for his own use all moneys so obtained for redemption. He may at any time appoint deputies to assist him, at his own expense, in the performance of his duties.

Section 421: Duty to Furnish Food And Water to Impounded Dogs. The Poundmaster shall feed one (1) pound of meat each day to each dog impounded, at a cost not exceeding five cents per day. He shall also provide sufficient water for all dogs impounded, and food and water for all other animals impounded.

Section 422: Duty Respecting Ferocious Dogs. If any dog while running or being at large in any public street, lane, alley, public ground or place in said city shall bite any human being, it shall be the duty of any police officer, the Poundmaster or any of

his deputies, or the person who owns, harbors or keeps said dog to cause said dog to be immediately killed.

Section 423: To Wear Badge of Office. The Poundmaster and Deputies shall each wear, while engaged in the discharge of their duties, a plain badge designating their office.

Section 424: Resisting Poundmaster. No person shall resist or interfere with the Poundmaster or any of his deputies in the discharge of their official duties.

Section 425: Allowing Animals to Graze In Public Places. It shall hereafter be unlawful for the owner or owners, or person or persons having the control of any animal mentioned in Section 406 of this ordinance, except the owner or owners, or person or persons having the control of such horses, or mules, or asses, or oxen, harnessed or saddled, and at the time in the actual custody of some person or persons, and of licensed dogs, to permit or allow the animals or any of them not mentioned in said exception to run at large or to be found grazing, or being grazed or herded, or in charge of any person or persons upon any public street, or square, or public ground, or place, or court, or alley in the City of Alameda, excepting Bay Farm Island.

Section 426: Duty of Poundmaster to Notify Owner of Impounding. The Poundmaster shall within twenty-four (24) hours after the impounding of any animal or animals cause to be delivered to the owner or keeper of the same, if a resident of said city, and if known to said Poundmaster, or cause to be left at the place of business or residence of any such person, if in said city, a written notice that such animal has been impounded, with a description of the animal or animals impounded, and date of impounding. If the owner or keeper of said animal or animals is not known to the Poundmaster, or is not a resident of said city, the Poundmaster shall, within said period of twenty-four (24) hours, post up a like notice on the bulletin board in front of the City Hall of this city. If said owner or keeper is not a resident of said city, and his place of residence or of business is known to the Poundmaster, he shall, within said period of twenty-four (24) hours, send him a like notice by mail.

Section 427: Fees to Be Charged By Poundmaster. The Poundmaster shall charge the fees hereinafter set forth in connection with the impounding of animals namely, viz:—

For every horse, mule, ass, bull, ox, cow or calf the sum of two dollars, and also fifty cents per day or fraction of a day for keeping each of said animals, to be paid by the owner thereof.

For every sheep, goat or hog impounded the sum of fifty cents and twenty-five cents per day or fraction of a day for keeping each of said animals to be paid by the owner thereof.

When any of said animals are kept as aforesaid by the Poundmaster without redemption and no sale thereof is had after proceedings therefor, as provided in this Ordinance, the expense of keeping said animals as herein established shall be a charge against the city for not more than ten days of such keep, to be paid to said Poundmaster.

For posting Notice of animals impounded other than the Notice posted at the Pound the sum of one dollar for each notice, to be collected only in case of redemption or sale.

For publishing notices, the actual cost of such publication.

For conducting sale, the sum of one dollar for each animal sold.

For impounding any unlicensed dog, the sum of two dollars.

For impounding any licensed but untaged dog, the sum of fifty cents.

For feeding dogs at the rate of five cents per day, charge to be paid by the owner on redemption and in case redemption is not made then the expense of such keep for not exceeding five days shall be a charge against the city to be paid to the Poundmaster.

For removing from the public street any dead horse or other draft animal or any dead cow or ox, the sum of two dollars shall be paid by the city upon demand of the person performing such service.

For removing from any sand beach any dead horse or other draft animal of any dead cow or ox, the actual cost of such removal to be paid by the city upon demand of the person performing the service.

For removing from private property, except property of the city any dead horse or other draft animal or any dead cow or ox the sum of two dollars to be paid by the person for whom such service is made.

For removing from private property except property of the city any dead dog, cat, goat or sheep, fifty cents each and for removing from private property except property of the city any dead chicken, twenty-five cents each.

Section 428: Fees to Be paid to City Treasury. All fees and charges collected by the Poundmaster shall be paid by him into the Treasury of the City of Alameda and placed in the General Fund thereof, except such fees or charges as are collected by him for the actual keep of animals and for removing dead horses or other draft animals or any dead cow or ox where such service is made by the Poundmaster.

Section 429: Office Hours of Poundmaster. The poundmaster or his duly authorized deputy shall attend at the public pound during business days between the hours of nine A. M. and ten A. M., one P. M. and two P. M., and five P. M. and six P. M., and on holidays between the hours of nine A. M. and ten A. M., and five P. M. and six P. M., during which time the pound shall be open to the transaction of all business pertaining thereto. The poundmaster and the public pound shall be subject to the direction and supervision of the Street Committee of the Council of the City of Alameda.

Section 430: Postponement of Sale. If sale is not made by the Poundmaster at the time stated in his published or posted notice, the sale may be by him postponed from day to day until the animals offered are sold. Notice of such postponement shall be given in the same manner, as provided for the original notice of sale, but no fees shall be allowed the Poundmaster for posting notices of such postponement.

Section 431: Owner May Reclaim Animal Before Sale. Any animal may be reclaimed by the owner or person entitled to its control before the sale thereof, by paying all fees and charges that have been incurred or accrued up to the time of reclamation. and any such animal may be reclaimed after having been taken up by the Poundmaster and before it has been placed in the Pound, by paying the same fee that the Poundmaster would be entitled to if the animal were actually impounded.

Section 432: Right of Poundmaster to Retain His Own Fees And Costs. The Poundmaster shall be entitled to retain for his

own use out of the sum received for reclamation or sale of any animal or animals, the fees allowed him by this article and costs for keeping animals.

Section 433: Duty to Remove Dead Animals Found On Public Streets. It shall be the duty of the Poundmaster to remove from the public streets and sand beaches of said city any animal found dead thereon.

Section 434: Right to Re-Take Animals Improperly Released. The Poundmaster may retake within six (6) days any animal directly or indirectly conveyed or delivered out of the pound without lawful authority, and again impound and retain the same, and proceed as heretofore provided in the same manner as if said animal had never been released from the pound; provided, that when any animal escapes from the pound without the assistance or knowledge of the owner thereof, the Poundmaster shall not be entitled to fees for again impounding the same within said period of six (6) days.

Section 435:Poundmaster to Furnish Bond. The Poundmaster shall execute a bond in favor of said city and all persons injured by his acts in the sum of one hundred dollars.

Section 436: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 8—PUBLIC LAUNDRIES.

Section 437: Prescribing Limits of Public Laundry District. No person, firm or corporation shall hereafter establish any public laundry, or conduct and maintain any public laundry hereafter established, within that portion of the City of Alameda lying to the south of a certain line described as follows: Commencing at the western extremity of Pacific Avenue and running thence easterly along the center line thereof to the center line of Webster Street, thence northerly along the center line of the street last mentioned to the center line of Eagle Avenue, thence easterly along the center line of Eagle Avenue to the center line of Grand Street, thence northerly along the center line of Grand street to the center line of Clement Avenue, thence easterly along the center line of Clement Avenue to the center line of Broadway, thence in a right line eas-

terly and parallel with Santa Clara Avenue to an intersection with the boundary line of said city.

Section 438: Permitting Premises In Prescribed Limits to Be So Used. No person, firm or corporation shall permit any premises owned or controlled by him or it, within the limits above described, to be used as a public laundry contrary to the provisions of Section 437 of this article.

Section 439: Prescribing Manner In Which Laundries Are to Be Constructed. No person, firm or corporation shall carry on the business of a public laundry, or wash or iron clothes in any public laundry within that portion of the City of Alameda hereinafter described, unless such laundry shall be constructed or equipped as follows:

First. The entire floor of the room or rooms where clothes are washed must be cemented with artificial stone at least three inches thick, and so arranged that all water upon said floor will drain into a sump trap, and from thence by suitable connections into a public sewer.

Secondly. The chimney, or chimneys in said laundry shall be constructed of brick or iron to a height extending at least three feet above the intersection of the roof and chimney and no wooden beams or timber shall be placed within six inches of any flue, or heating apparatus. All chimneys in said laundries shall be constructed in accordance with this Municipal Code.

Thirdly. The foundation of the washroom of said laundry shall be constructed of not less than four courses of brick, or an equal amount of stone or cement, or the inner walls of the washroom cemented to the height of three feet from the cement floor and be connected with said floor by water-tight joints so as to prevent water from escaping to or saturating the foundations.

Fourthly. In addition to the room where clothes are washed or ironed in said laundry there must be provided a separate and clean apartment where laundered clothing is to be kept until delivered.

Fifthly. The wash-room, ironing-room and room where laundried clothing is kept, must each be provided with two windows having at least fifteen square feet of glass and so constructed that they may be used for ventilation as well as the admission of sunlight.

Sixthly. Said Laundry must in all other respects be constructed and maintained in accordance with the sanitary regulations adopted by the City Council or by the Board of Health, and with the Ordinances of this city for protection against fire.

The limits above referred to are hereby determined as follows: That portion of the City of Alameda within the following described lines:

Commencing at the point of intersection of the easterly line of Third Street and the northerly line of Taylor Avenue, running thence northerly along said line of Third street to the southern line of Pacific Avenue, thence easterly thereon to the western line of Sixth Street, thence northerly thereon to the southern line of Buena Vista Avenue, thence easterly thereon to the westerly line of Grand Street, thence northerly thereon to the southerly line of Eagle Avenue, thence easterly thereon to the western line of Oak Street, thence northerly thereon to the northerly boundary of said City; thence easterly thereon to the easterly line of Broadway, extended northerly, thence southerly and along said line of Broadway, to the northerly line of Buena Vista avenue, thence easterly thereon to the westerly line of Versailles Avenue, thence southerly thereon to the northerly line of Santa Clara Avenue, thence easterly thereon to the westerly line of High Street, thence southerly thereon to the northerly line of San Jose Avenue, thence westerly thereon to the easterly line of Broadway, thence southerly along said line of Broadway and same produced southerly to the shore line of San Francisco Bay, thence westerly along said shore line to the easterly line of Grand Street, thence northerly thereon to the southerly line of San Antonio Avenue, thence westerly thereon to the easterly line of Ninth Street, thence northerly thereon to the southerly line of Central Avenue, thence westerly thereon to the easterly line of Fourth Street, thence northerly thereon to the southerly line of Taylor Avenue, and thence westerly thereon to the point of beginning.

Section 440: No One to Sleep In Laundry Room. Within the City of Alameda it shall be unlawful for any person to sleep in any room in a public laundry where clothes are washed or kept for washing or distribution.

Section 441: Manner In Which Clothes Are to Be Dampened. No person shall, in the City of Alameda dampen clothing for the

purpose of enabling the same to be ironed except by hand or machinery.

Section 442: Necessity to Have Proper Sewer Connections. No person shall carry on the business of a public laundry or the washing of clothes for hire, on any land or in any building within the corporate limits of the City of Alameda, until there is on said land, or connected with said building, an underground sewer or sewers, of sufficient capacity to convey all impure water from said land or building to a main intercepting city sewer.

Section 443: Laundries to Provide Proper Sewer Connections. No person shall permit any land or building owned or controlled by him, within said City, to be used for the business of a laundry, or the business of washing clothes for hire, until there is on said land, or connected with said building, an underground sewer or sewers of sufficient capacity to convey all impure water from said land or building to a main intercepting city sewer.

Section 444: Must Not Create a Nuisance. No person shall, in the City of Alameda, maintain or carry on the laundry business in such a manner as to create a nuisance, or be detrimental to the public health or comfort.

Section 445: Prohibiting Laundry Work In Night Time. No person employed in and no proprietor of any public laundry in the City of Alameda shall wash or iron clothes, or permit clothes to be washed or ironed between the hours of ten in the evening and the hour of five o'clock in the morning of any day, within that portion of the City of Alameda bounded and described as follows: Commencing at the southeastern corner of Pacific Avenue and First Avenue (otherwise called West End Avenue); thence along Pacific Avenue easterly to Webster Street; thence northerly along Webster Street 660 feet; thence easterly parallel with Pacific Avenue to Oak Street; thence northerly along Oak Street to the northerly boundary line of the City of Alameda; thence easterly along said line to Broadway; thence southerly along Broadway to Buena Vista Avenue; thence easterly along Buena Vista Avenue to Versailles Avenue; thence southerly along Versailles Avenue to Central Avenue and thence easterly along Central Avenue to the westerly line of High Stret; thence southerly along said line of High Street and the same extended in a

straight line to the southern boundary line of the City of Alameda; thence westerly along the last named line to said First Avenue, and thence northerly along the eastern line of First Avenue to the point of beginning.

Section 446: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 9—PUBLIC BATHS.

Section 447: Regulating the Conduct And Maintenance of Public Bath Houses. Every person, firm or corporation engaged in the business or occupation, for hire, or otherwise, of providing and affording facilities to the public for bathing and who shall keep and maintain for such purpose any stationary or movable receptacle or receptacles for holding water, shall, at all times, keep and maintain said receptacle or receptacles in a cleanly and sanitary condition. And said receptacle or receptacles shall be lined with porcelain or some suitable metal, stone, tile or cement lining and shall have proper sewer connections.

Section 448: Prohibiting Use, By More Than One Person. It shall be unlawful for any such person, firm or corporation, described in Section 447 hereof, or any manager, or employe thereof, to permit more than one person to occupy or use any such receptacle at the same time, or to permit any person to occupy or use any such receptacle until the same is emptied of the water used by the previous occupant, and said receptacle thoroughly cleaned.

Section 449: Prohibiting Males And Females Using Same Room or Compartment. It shall be unlawful for any person, firm, or corporation described in Section 447 hereof, or any manager, or employe, thereof, to allow male and female persons using said receptacles, described in Section 447 hereof, to dress or undress or to bathe in the same room or compartment and it shall likewise be unlawful for any male or female person to dress or undress or bathe in the presence of one or more of the opposite sex. This section, however, shall not apply to husband and wife, or parents bathing children under the age of 15 years.

Section 450: Exception As to Swimming Tanks. Nothing in this ordinance shall apply to any person, firm or corporation conducting and operating any tank or receptacle for swimming purposes, which tank or receptacle covers an area of over two hundred and fifty (250) square feet, and which tank and receptacle attains a depth of at least three feet and which is not used or maintained for washing or cleansing purposes

Section 451: Misdemeanor. Any person violating the provisions of this article shall be deemed guilty of a misdemeanor.

Article 10—MATERNITY HOSPITALS

Section 452: Duty to Obtain Permit to Establish And Maintain. No person in the City of Alameda shall establish, maintain, conduct or manage any maternity hospital or lying-in asylum where females are or may be received, cared for or treated during pregnancy or during or after delivery without having first obtained a written permit so to do from the Board of Health of said city.

The Board of Health shall have power to issue such permits and every such permit shall specify the name and residence of the person so undertaking to care for such females and the location of the place where the same are kept and the said permit shall be revocable for cause by the said Board of Health in any case where the provisions of this ordinance are violated.

Section 453: Duty to Keep Register of Patients, Births and Children Adopted. Every person holding such permit must keep a register wherein he shall enter the names and addresses of all such females and of all children born on the premises, and also the name and age of every child who is given out, adopted or taken away to or by any person, together with the name and residence of the person so adopting or taking away such child; and within forty-eight hours after such child is given out or taken away shall cause a correct transcript of said register relating to such child to be sent to the said Board of Health.

Section 454: Inspection By Health Authorities. It shall be the duty of the Health Officer of said city and the privilege of the members of said Board of Health to enter and inspect the premises where such females are so boarded, received and kept,

and to call for and inspect the permit and register, and also to see and visit said females.

Section 455: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 11—REMOVAL OR DESTRUCTION OF WEEDS, GRASS, GARBAGE, UNSAFE BUILDINGS OR STRUCTURES OR OTHER DANGEROUS OBJECTS OR MATERIALS.

Section 456: Obstruction of Sidewalks By Weeds, Grass And Other Vegetable Growths. It is hereby declared to be unlawful for any person having the control, possession or ownership of any lot of land within the limits of the City of Alameda, to permit or allow the sidewalks in front of said lot of land to become obstructed by weeds, grass or other vegetable growth in such manner as to deface the sidewalk, impede travel or menace the public safety in the matter of fire.

Section 457: Duty of Street Superintendent to Notify Owner to Remove Weeds, Etc. Whenever the Street Superintendent shall find weeds, grass, or any vegetable broken, unlawful, dangerous, dilapidated, or unsafe fences, buildings or structures, or any other materials, upon any sidewalk or street, or in front of or on any property, land or lots in the City of Alameda, he shall give, or cause to be given notice to remove such weeds, grass, or other vegetable growth or garbage or rubbish, or broken, or unsafe fences, buildings or structures, or other material, in the manner hereinafter provided.

Section 458: How Notice Is to Be Given. Such notice shall be given by posting in a conspicuous place upon the property, land or lot in front of, or upon which said weeds, grass, or other vegetable growth, or garbage or rubbish, or broken, unlawful, dangerous, dilapidated, or unsafe fences, buildings or structures, or other material are, a notice headed, "Notice of Sanitary and Safety Improvements" in letters not less than one (1) inch in length, and which shall in legible characters direct the removal of weeds, grass or other vegetable growth, or garbage or rubbish, or broken, unlawful, dangerous, delapidated, or unsafe fences, buildings,

or structures, or other material, as the case may be, and refer to this ordinance for further particulars. Personal service of a notice similar in substance upon the owner; occupant, or agent in charge of such property, land or lot, shall dispense with the posting of the notice herein provided for.

Section 459: Right to Appeal From Order of Street Superintendent. Within ten (10) days from the date of posting of such notice, or case of personal service, within ten (10) days from the date of the personal service thereof, the owner of, or any person having an interest in the property, land or lot affected by such notice, may appeal to the City Council from the requirements thereof. Such appeal shall be in writing and shall be filed with the City Clerk. At the next regular meeting of the City Council it shall proceed to hear and pass upon such appeal and its decisions thereupon shall be final and conclusive.

Section 460: Right to Remove Weeds, Etc. In Absence of Appeal. Unless within ten (10) days from the date of the posting of the notice provided for in section 456 hereof, or in case personal notice is given, within ten (10) days from the date of personal service thereof, or in case of appeal to the City Council within ten (10) days from the date of the determination thereof, unless the same is sustained, the weeds, grass, or any vegetable growth, or garbage or rubbish, or broken, unlawful, dangerous, dilapidated, or unsafe fences, buildings or structures, or other material, as the case may be, are removed from said property, land or lot as directed by said notice, or by the City Council on appeal, the Street Superintendent shall thereupon remove or destroy, or cause the same to be removed or destroyed. If upon appeal the requirements of the original notice are modified, the Street Superintendent in removing or destroying, or causing to be removed or destroyed, such weeds, grass, or any vegetable growth, or garbage or rubbish, or broken, unlawful, dangerous, dilapidated, or unsafe fences, buildings or structures, or other material, shall be governed by the determination of the City Council so made.

Section 461: Record Book of Property Affected to Be Kept. The Street Superintendent shall keep, or cause to be kept in his office a permanent record book showing the description of each piece of property, land or lot upon, or in front of which weeds,

grass, or any vegetable growth, or garbage or rubbish, or broken, unlawful, dangerous, dilapidated, or unsafe fences, buildings or structures, or other material, are removed or destroyed under the provisions of this ordinance, the name of the owner thereof, if known, the date of posting notice herein provided for, or in case of personal service, the date of such personal service, and in case of appeal, the date of determination of the City Council and the expense incurred in the removal or destruction of such weeds, grass, or other vegetable growth, or garbage or rubbish, or broken, unlawful, dangerous, dilapidated, or unsafe fences, buildings or structures, or other material.

Section 462: Right to Appeal From Act of Street Superintendent in Removing Weeds, Etc. Between the 1st and 15th day of July of each year, the Street Superintendent shall cause to be published a notice to the effect that any person affected or aggrieved by any act or determination of the Street Superintendent or of the City Council hereunder during the preceding fiscal year, may at any time prior to the first day of August next succeeding, appeal therefrom to the City Council. Said notice shall be published for five (5) days in a newspaper published and circulated in the City of Alameda. At any time prior to the first day of August next succeeding, and person affected or aggrieved by any act or determination of the Street Superintendent or of the City Council made hereunder during the preceding fiscal year, may appeal therefrom to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. At the next regular meeting of the City Council after the first day of August it shall proceed to hear and pass upon such appeal, and its determination thereupon shall be final and conclusive. The Street Superintendent shall carry out any directions of the City Council made upon appeal, and he shall cause appropriate corrections and entries to be made in his said record book to conform therewith.

Section 463: Proceedings By Which Costs of Removal Become Lien On Property. At the expiration of the time for appeal as herein provided, or upon the determination of the City Council upon appeal and on compliance with the requirements of any determination so made, the Street Superintendent shall deliver to the Auditor and Assessor an abstract of the entries in the record

book herein provided to be kept for the preceding fiscal year. Such abstract shall show the property affected and the amount charged there against. The Auditor and Assessor shall thereupon note the amount of each such charge on the assessment books of city taxes against the respective lots charged, and thereafter the amount of each such charge shall be a lien against the respective property charged therewith of the same character and effect, and shall be collected in the same manner and at the same time as city taxes. The provisions of this section shall not apply as to any piece of property of land or lot, the charge against which has been paid prior to the delivery to the Auditor and Assessor of said abstract, but in such case an appropriate entry shall be made in the said record book by the said Street Superintendent, showing that such charge has been paid.

Section 464: Proof of Publication of Notice. Proof of the publication, posting or service of any notice, order or determination provided for in this article shall be made by the affidavit of the printer of the newspaper in which published, his foreman or principal clerk, or the person posting or serving the notice, order or determination annexed to a copy of order, notice or determination published, posted or served, as the case may be, and specifying the time when, or at which the same was published, posted or served, as the case may be. It shall be the duty of the Street Superintendent to keep among the official records of his office the affidavits of publication, posting or service herein provided for. Charges made against property under the provisions of this article may be paid to the Street Superintendent prior to the delivery to the Auditor and Assessor of the abstract mentioned in section 463 of this ordinance, and all moneys so paid to the Street Superintendent shall be by him deposited with the Treasurer of said city and by said Treasurer shall thereafter be placed in the Street Fund of said City of Alameda.

Article 12—THINGS IN NATURE OF PUBLIC NUISANCE.

Section 465: Allowing Poison Oak to Grow On Premises. It shall be unlawful, and is hereby declared a nuisance, for any person owning, leasing or possessing land in the City of Alameda, to permit poison oak to grow, mature, or remain on land so owned, leased or possessed by such person.

Section 466: Declaring Certain Trees Growing In Public Streets Nuisances. Any pine, poplar, cottonwood or eucalyptus tree growing in any public street or sidewalk which is endangering or which may in any way endanger the security or usefulness of any public sewer or sidewalk is hereby declared a public nuisance.

Section 467: How The Nuisance May Be Abated. Whenever it may appear to the satisfaction of the Superintendent of Streets that public necessity requires the removal of any tree coming under the provisions of Section 466 of this article, it shall be the duty of said Superintendent of Streets to report the same to the Council and the Council may by resolution order the same removed, and the said Superintendent of Streets, after the adoption of such resolution, shall have authority to remove the same forthwith.

Section 468: Distribution of Poisonous Drugs In Public Places. No person, in said city, shall, on any public street, or park, or upon any premises not occupied or controlled by him, place any poison, drug, or medicine, where the same may be obtained by children.

Section 469: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

CHAPTER VII

INTOXICATING LIQUORS.

Articles .1—LICENSES FOR SALE OF INTOXICATING LIQUORS.

Section 470: Necessity for a License to Sell Intoxicating Liquors. It is hereby declared to be unlawful for any person, firm or corporation to establish, open, keep, maintain or carry on within the City of Alameda any saloon, bar, store, dramshop, tippling place, stand, or any place where spirituous, malt or fermented liquors or wines, or any admixture thereof, are sold or given away; or for any person, firm or corporation (except as hereinafter provided) to sell, barter or give away by soliciting

or procuring orders or otherwise, or by delivering as principal, agent, employee, carrier or otherwise, any spirituous, malt or fermented liquors or wines, or any admixture thereof, within the City of Alameda, without having the permission and license therefore, as in this ordinance provided.

Section 471: Necessity to Display License. Every person, firm or corporation receiving a license under this ordinance shall place the same so that it shall at all times be conspicuous and easy to read at his chief place of making sales, and no license shall permit sales by any person, firm or corporation who shall neglect this requirement.

Section 472: License Not Assignable Without Permission. No license issued under any of the provisions of this ordinance shall be assignable or transferable without the consent of the said City Council indorsed thereon, and only to such person, firm, or corporation as have filed a bond, as hereinafter provided, and complied in all other respects with the preliminary requirements of this ordinance.

Section 473: Requisites in Application For License. No person, firm, or corporation shall have issued to him or them the license required by this ordinance unless such person, firm, or corporation be of good character, and first make application to the said City Council for permission to obtain the license herein required, and receive such permission. Said application shall be in writing, and be filed with the Clerk of said city, and must set forth:

First, the name and residence of the applicant or applicants, and how long he or they have there resided.

Second, the particular place for which a license is desired.

Third, the name of the owner of the premises.

Fourth, that the applicant or applicants are the only person or persons in any manner interested in the business asked to be licensed, and that no other person shall be in any manner interested therein during the continuance of the permission.

Fifth, that the applicant or applicants have not had a license for the sale of liquors in the City of Alameda during any time preceding his or their present application revoked.

This application must be verified by the affidavit of the applicant or applicants, made before the City Clerk or a Notary

Public, and must be accompanied by a written recommendation setting forth that the applicant or applicants are of good character and suitable to conduct such a place, which recommendation must be signed by at least twenty-five or a majority of the resident heads of families and proprietors of places of business actually occupying premises fronting on a public street within a distance of six hundred measured feet in all directions from the front entrance of the place where the said business of the applicant is to be carried on. Each person signing said recommendation must be a householder or free holder in said city. The "head of the family" shall be such as is defined in Section 1261 of the Civil Code of the State of California, as follows:

(1) The husband, when the claimant is a married person; and (2) every person who has been residing on the premises with him or her, and under his or her care and maintenance: (1) His or her minor child, or the minor child of his or her deceased wife or husband; (2) a minor brother or sister, or the minor child of a deceased brother or sister; (3) a father, mother, grandfather or grandmother; (4) the father, mother, grandfather or grandmother of the deceased husband or wife; (5) an unmarried sister, or any other of the relatives mentioned in this section who have attained the age of majority, and are unable to take care of or support themselves.

Provided, however, that no person who is an occupant of the premises in which the applicant proposes to carry on the said business shall be eligible to sign said recommendation; and provided, further, that where there are no resident freeholders or householders who are heads of families or proprietors of places of business occupying premises fronting on a public street within the distance of 600 feet above described, said Council may in its discretion, grant the application without such recommendation.

Section 474: Necessity to Furnish Bond—Nature of Bond. Such applicant or applicants shall, at the time of making application to obtain a license, file with the City Clark a bond to the City of Alameda in the penal sum of one thousand ($1,000) dollars, with two or more sureties, who shall each be resident of the City of Alameda, and shall each qualify in double the amount of the penal sum of the bond; said bond to be approved by the said City Council, and conditioned that the said applicant, or applicants shall conduct the business for which the license is sought

in a quiet, orderly and reputable manner, and will not permit any breach of peace, or disturbance of the public order or decorum, by any tumultuous, riotous, or disorderly conduct upon the premises, and shall not sell, give, or furnish any intoxicating liquor, spiritous, malt, or fermented liquor, or wine, or any admixture thereof, to any person in a state of intoxication, or to any person under the age of eighteen years, and that said applicant or applicants shall obey and abide by all laws and ordinances now in force, and which may hereafter be enacted, regulating the time of closing saloons and the business of selling spirituous, malt, or fermented liquors or wines, or any admixture thereof.

Section 475. Issuance and Revocation of License Granted. Upon consideration of said application and any objections which may be filed, the said Council may grant or refuse the permission applied for, which permission, if granted, shall remain in force not more than one year and be only for the person, firm, or corporation and place named therein.

Upon sufficient cause being shown or proof furnished to the said City Council that any person, firm, or corporation holding a license has violated any ordinance of the city relating to the sale of liquors, the said Council shall, upon notice being given to the person, firm, or corporation so licensed, revoke such permission, cancel the license, and declare the bond forfeited.

Section 476: Payment of License Fees. All Licenses issued hereunder shall be paid for quarterly in advance on the first days of July, October, January and April, of each and every year, in lawful money of the United States, and at the office of the Chief of Police of the City of Alameda, who is hereby authorized, empowered, and required to collect all license taxes provided for by this article; and he shall issue the license herein provided for only to such person, firm, or corporation as shall have complied with the preliminary provisions herein required. (As amended by Ord. No. 2, N. S.)

Section 477: Limiting Distance of Saloon From School. No person, firm, or corporation shall have issued to him or them the license required by this article when it appears that the front entrance of the place where the applicant proposes to carry on

businsss is within a distance of one hundred feet from the front entrance of any lot or premises used for public school purposes.

Section 478: Necessity to Confine Business to That Licensed. Allowing Sale of Tobacco. No goods, wares, or merchandise of any kind, save and except those provided in this article, shall be sold or offered for sale in any room or place where the business asked to be licensed shall be carried on, or in any room or place connected therewith by any door, window, passageway, or opening of any kind whatever. Licenses issued hereunder shall be called liquor licenses, and shall, however, authorize the sale of tobacco in all its forms.

Section 479: License Applies to One Place Only. The license herein specified shall entitle the owner thereof to carry on the business licensed at only one place.

Section 480: Causes for Revocation of License. The keeping of a disorderly or disreputable house or place, or the selling or giving of any spirtuous, malt, or fermented liquor, or wine, or any admixture thereof, to any intoxicated person, or to any minor under the age of 18 years, or the violating of any of the provisions of this ordinance by any person, firm, or corporation hereby licensed, shall be deemed a misdeameanor, and on conviction thereof said conviction shall work a revocation and forfeiture of the license, as well as forfeiture of the bond given under the said provisions. The City Council may at any time, for such cause and upon such investigation as they or a majority of them deem sufficient, revoke any license granted under this ordinance, and it is specially ordained and declared that all such licenses, though granted for a nominal term, are held at the pleasure of the said City Council.

Section 481: Amount of License Fee—Exception as to Druggists and Wholesalers—Prescription Usuable Only Once. The license tax under this ordinance shall be as follows:

For every person, firm, or corporation engaged in the business of selling or giving away, or in any manner furnishing, in any saloon, bar, stand, or other place of business, or in any public place in the City of Alameda, and for every person, firm, or corporation who sells, or offers to sell or keeps for the purpose of sale, in the City of Alameda, any spirituous, malt, or fermented

liquors or wines, or any admixture thereof, at the rate of five hundred dollars, payable semi-annually in advance. Provided, that druggists and apothecaries shall not be required to obtain licenses under the provisions of this ordinance for furnishing liquors upon the written prescription of a regularly licensed and registered physician, such liquor in no case to be used or drank upon the premises, nor for supplying alcohol or preparations containing the same for scientific, mechanical, medical or medicinal purposes. Provided, further, that no spirituous, vinous, or malt liquors shall be sold or furnished more than once on any one prescription of such physician, and that no physician shall prescribe any intoxicating liquor as a beverage to a person of known intemperate habits.

Provided, further, that no such license shall be required for the purpose of selling liquors to retail dealers in said city who have paid the license tax herein specified; but said license must be obtained by every person, firm, or corporation who or which sells spirituous, malt, or fermented liquors or wines, from place to place, or from wagons in said city, to persons other than said dealers.

Section 482: Misdeameanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdeameanor.

Article 2—MANNER OF CONDUCTING THE SALE OF INTOXICATING LIQUORS.

Section 483: Manner in Which Liquors to be Sold—Prohibition of Sales to Adjoining Places—Ladies or Family Entrances. No person shall, at any saloon in said City, sell, give away, barter, buy, or receive any spirituous, malt or fermented liquor or wine, or any admixture thereof, between the hours of Twelve o'clock Midnight and Five o'clock in the morning of the following day. No person engaged in the vending or disposing of spirituous, malt or fermented liquors or wines in any barroom or saloon shall sell or deliver for sale or use, any liquor in any back-room, side-room, upper-room or other apartment in or contiguous to such bar-room or saloon, or in any building adjoining the same, unless said back-room, side-room, upper-room or other apartment be so

constructed and maintained that no ingress thereto or egress therefrom can or may be had except through the main room of said bar-room or saloon; and no such person shall have or maintain any private or separate entrance for any particular class of customers or any words or signs upon any entrance signifiying that such entrance is for ladies or families, or for any particular class of persons, or as a private entrance to such bar-room or saloon, or to any other apartment used in connection therewith; Provided, that nothing contained in this section shall prohibit the serving of such liquors to guests within any hotel or restaurant having a valid license to sell the same.

Section 484: Barring Minors From Saloons and Billiard Rooms. It shall be unlawful for the proprietor, manager, barkeeper, clerk or other person in charge of any saloon, barroom, or place where intoxicating liquors are sold or offered for sale, or of any place where billiards, pool or cards are played for money or compensation to the person in charge of said place, to permit any person under the age of eighteen years to visit any such place or to loiter or be or remain in or about such place, and it shall be unlawful for any such person under the age of eighteen years to visit any such place or loiter or be or remain therein.

Section 485: Prescribing Closing Time for Such Places. It shall be the duty of every proprietor or keeper of any room or place where billiards, pool or cards are played for money or compensation to the person in charge of such room or place or where goods or merchandise are sold as part of the consideration for the use of tables or other accommodation at such room or place, to cause all persons other than himself, his family and regularly employed assistants, to depart from such room or place and to close the same and all rooms used in connection therewith for any of said purposes at Twelve o'clock midnight of each day, and to keep the same closed until Five o'clock in the morning, and no person other than those herein excepted shall be admitted to any such room or place during the time the same is so closed, provided that police officers in the discharge of their duties shall have access to such rooms or places at all hours.

Section 486: Selling Liquor to Minor Under 18—Or Allowing to Loiter. No person shall in the City of Alameda sell or give any intoxicating liquor to any person intoxicated, or give, or deliver or cause to be delivered, any intoxicating liquor, in any quantity whatever, to any minor child, male or female, under the age of eighteen years; provided that it shall be a sufficient defense to any prosecution under this section if proven that such intoxicating liquor was given or delivered to such minor child upon the prescription of a regularly licensed physician, or by the father, mother or guardian of such minor child, and was not so given or delivered in any saloon, barroom, drinking place, or place where intoxicating liquors are sold or offered for sale, nor in any public street, or in any public place; and no person being the proprietor, or manager or bar-keeper, of any saloon, barroom, drinking place, or place where intoxicating liquors are sold, or offered for sale, shall permit any minor child under the age of eighteen years to visit said saloon, barroom, or drinking place, or place where intoxicating liquors are sold or offered for sale, for the purpose of gambling, playing cards, billiards, pool, or any game of chance, or to be employed in, or to loiter or to remain in or about said saloon, barroom, drinking place, or place where intoxicating liquors are sold or offered for sale, or to play billiards, pool or cards therein, or to take or carry away any intoxicating liquors therefrom in any quantity whatsoever.

No minor under the age of eighteen years shall in the City of Alameda drink any intoxicating liquors in any quantity whatever in any saloon, barroom, drinking place, or place where intoxicating liquors are sold or offered for sale, or shall take or carry away any intoxicating liquor therefrom in any quantity whatever, or shall loiter or remain in or about any saloon, barroom, drinking place or place where intoxicating liquors are sold, or offered for sale, or play billiards, pool or cards in any such place.

Section 487: False Representation as to Age of Minor. No minor under the age of eighteen years shall falsely represent himself to be over the age of eighteen years to any proprietor, or manager, or barkeeper of any saloon, barroom, drinking place, or place where intoxicating liquors are sold or offered for sale,

for the purpose of procuring intoxicating liquor for himself or for another, or for the purpose of being permitted to loiter or remain in or about any saloon, barroom, drinking place, or place where intoxicating liquors are sold, or for the purpose of being permitted to take or carry away intoxicating liquors therefrom.

Section 488: Misdeameanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdeameanor.

CHAPTER VIII

LICENSES FOR REGULATION AND REVENUE.

Article—GRATUITOUS LICENSES.

Section 489: Gratuitous Licenses—To Whom Issued. Gratitous licenses shall be issued by the Chief of Police when ordered by the Council in the same manner as other licenses are issued by him, subject to the conditions hereinafter set forth:

First—To producers, to sell such products as are raised by them.

Second—To manufacturers, to sell goods which are manufactured by them.

Third—To persons who, by the infirmities of age, loss of limb, or other disabling causes, are incapaciated from earning a livlihood by physical labor, to sell goods at retail.

Fourth—To any person, who upon proper showing, is found by the Council to merit exemption from the payment of a license tax.

Section 490: Applications For—How Made. All applications for a gratituous license shall be made in writing to the Chief of Police, and must state the facts relied upon by the applicant, and state where applicant has resided for the preceding six months, and be signed by him.

Each application for a gratuitous license shall be presented to the Council by the Chief of Police with his recommendation endorsed thereon.

Section 491: Revocable and Not Assignable. Gratuitous licenses shall be revokable at any time by the Council and shall not be assignable.

Article 2—LICENSES FOR VARIOUS TRADES, CALLINGS, PROFESSIONS AND OCCUPATIONS.

Section 492: Necessity to Procure a License—New Violation Each Day. It shall be unlawful for any person, whether as principal or agent, co-partner, clerk or employe either for himself or any other person, or for any body corporate, or otherwise, or as officer of any corporation, to commence or carry on in the City of Alameda, any trade, calling, profession or occupation, in this article specified, or to keep, employ, or use any article or thing in said city for which a license tax is hereinafter imposed, without first having procured a license from said city so to do, and each and every day or fractional part of a day that said trade, calling, profession or occupation in this ordinance specified is conducted or carried on without such license, shall constitute a violation of this article.

Section 493: Auditor to Furnish Blanks, Tags, Etc.—Keep Account of License Business. The Auditor shall prepare and have printed blank licenses of all classes and denominations, dog-tags, vehicle and basket numbers for terms to correspond with the provisions of this or any other ordinance. He shall have all licenses and tags numbered, and after having signed the licenses shall from time to time deliver them to the Chief of Police in such quantities as may be required, taking his receipt therefor and charging him therewith, giving in the entry the numbers, classes and amounts therefor. He must keep in his office a ledger in which he shall keep the said Chief's account of all licenses delivered to him, sold or returned unsold to him. He shall at the close of each month demand and receive from the Chief of Police all such licenses, blanks, dog-tags, vehicle or basket numbers, or plates not issued and paid for, and immediately credit him therewith. He shall at the same time credit the said Chief of Police with all licenses, blanks, dog-tags, vehicle or basket numbers or plates, issued and paid for during the month, specifying their numbers, classes and values, and cancel the account in such a manner as to show a monthly settlement with said Chief of

Police. He shall on or before the 5th day of each month require and receive from the Chief of Police a sworn monthly report showing the number and class of such license, the number of dog-tags, vehicle and basket numbers or plates on hand, and received during the month, the total number of each class issued during the month next preceding, and the amount paid over to the City Treasurer. The report if found correct he shall immediately file with the City Council.

Section 494: Chief of Police to Collect License Taxes. The Chief of Police shall collect all license taxes, shall issue all licenses, shall keep a record of all licenses, dog-tags and vehicle numbers sold, and shall furnish the report mentioned in the preceding section.

Section 495: License Taxes Payable in Advance—Pro-rating of Tax. Licenses issued pursuant to this article shall be paid for in advance. They shall be dated on the day of issuance by the Chief of Police, and shall expire on the last day of the term for which the same are issued. If any person shall apply for an annual license after the beginning of the then current license term shall be required to pay the whole year's license tax if the license is issued in the first quarter of the license year, and shall pay three-fourths of the tax if the license is issued in the second quarter of the license year, and pay one-half of the tax if the license is issued in the third quarter of the license year, and pay one-fourth of the tax if the license is issued in the fourth quarter of the license year.

The license term shall be for one year beginning April first, and all license except as otherwise provided for shall be due and paid for immediately upon engaging in the business and becoming subject to the license tax and thereafter shall be due and paid for in advance on the first day of April of each year when the same are annual licenses, and otherwise upon expiration of license.

Section 496: Penalty For Failure to Promptly Obtain License. If any person then doing business in said city shall fail to take out and pay for a license as in this Article provided, for thirty (30) days after the time provided herein for taking out the same, he shall pay for such license ten (10) per cent more than the amount herein otherwise provided, and no license shall be is-

sued to him until said amount is paid. This provision shall not exempt such person from any punishment provided by this ordinance for a violation thereof.

Section 497: Not Assignable Without Permission. No license granted or issued under any of the provisions of this Article shall be in any manner assignable or transferable, or authorize any person other than is therein mentioned or named to do business without permission from the Chief of Police, endorsed thereon by him, who shall immediately record such change or transfer in the proper place upon the record of the license.

Section 498: To Display License. Every person having a license under the provisions of this ordinance shall conspicuously exhibit the same at all times while in force at his place of business and produce the same when applying for a renewal or when requested so to do by the Chief of Police or any police officer; provided that peddlers and others who have no fixed place of business in said City must carry and exhibit a license when so requested. All wagons or vehicles licensed hereunder shall be designated by a license number which shall be conspicuously shown on both sides thereof.

Section 499: Punishment Not in Lieu of the Tax. Conviction and punishment of any person for transacting any business without a license shall not excuse or exempt such person from the payment of any license due or unpaid at the time of such conviction.

Section 500: Separate Licenses For Each Place of Business. A license must be procured from the Chief of Police immediately before the commencement of any business, trade or profession, or employment, or calling, required by this ordinance to be licensed, and, unless otherwise provided herein, a separate license must be obtained for each branch establishment or separate place of business, which authorizes the party obtaining it to carry on, pursue, or conduct only that business, trade, profession or employment described in such license and only at the location or place of business which is indicated therein.

Section 501: Where Several Occupations or Businesses Combined. Except as hereinafter otherwise provided, where more than one occupation or business of those upon which a license tax

is hereinafter imposed is carried on or conducted by one person, firm or corporation, at any one location, the license tax for such combined business or occupation shall be the tax hereinafter imposed on that one of said occupations or businesses which is most heavily taxed hereunder.

Section 502: Rates. The rates for licenses and the subjects licensed shall be as established hereinafter.

Section 503: Street or Steam Railroad Car Advertisers. For every person, firm or corporation engaged in the business of street or steam railroad car advertising, the license tax shall be $100 per year.

Section 504: Fortune Tellers, Phrenologists, Etc. For every person, firm or corporation who carries on, practices, or professes to practice the business or art of astrology, palmistry, phrenology, life-reading, fortune-telling, cartomancy, clairvoyance, clair-audience, crystal-gazing, hypnotism, mediumship, prophecy, augury, divination, magic or necromancy, and who demands or receives a fee for the exercise or exhibition of his art or practice therein, or who gives an exhibition thereof at any place where an admission fee is charged, the license tax shall be $100 per year.

Section 505: Auctioneers—Conductors of Judicial Sales Excepted. For every person, firm or corporation engaged in the business of auctioneer or who sells any goods, wares or merchandise, or real estate, or property, at public auction on commission or otherwise, the license tax shall be $50 per year.

The provisions of this section shall not apply to sales made under judgment or order of any court, and the license provided for in this section shall not be assignable or transferable.

Section 506: Proprietors of Public Gardens, Parks or Recreation Grounds. For every person, firm or corporation who owns or keeps any public garden, park, or recreation ground where an admission fee is charged to such garden, park, or ground the license tax shall be twenty-five dollars per year; and for every person, firm or corporation who keeps or manages a baseball park or ground to which an admission fee is charged the license tax shall be twenty-five dollars.

Section 507: Public Bath House Keepers. For every person, firm or corporation conducting a public bath house for tub, steam or vapor baths or swimming for hire, the license tax shall be $10 per year. (As amended by Ord. No. 2, N. S.)

Section 508: Proprietors of Billiard, Pool and Bagatelle Tables. For every person, firm or corporation conducting, managing or carrying on the business of keeping or conducting billiard, bagatelle or pool tables, the license tax shall be $6 per table, per year.

The tax imposed by this section shall not be subject to the provisions of Section 501 of this Ordinance.

Section 509: Keepers of Bowling Alleys and Box Ball Courts. For every person, firm or corporation engaged in the business of keeping or conducting bowling alleys, or box-ball courts, for each alley, bed or court, the license tax shall be $8 per year.

Section 510: Brewers and Beer Bottlers. For every person, firm or corporation engaged in the business of beer bottling or having an agency for any beer bottling establishment and for every person, firm or corporation engaged in the business of keeping or conducting breweries or selling keg beer wholesale, the license tax shall be $50 per year.

Section 511: Bottlers of Non-Intoxicants. For every person firm or corporation engaged in the business of bottling non-intoxicants or having an agency therefor, the license shall be $10 per year.

Section 512: Carpet Cleaners and Vacuum Cleaners. For every person, firm or corporation engaged in the business of carpet cleaning or engaged in the business of operating a vehicle vacuum cleaning machine, the license tax shall be $10 per year. (As amended by Ord. No. 2, N. S.)

Section 513: Circus and Side Show Proprietors. For every person, firm or corporation engaged in the business of conducting a menagerie or circus, the license tax shall be $25 per day where the seating capacity is less than $2000 and $50 per day where the seating capacity is over 2000; and for every person, firm or corporation engaged in the conduct of a side-show or side exhibition to a circus or menagerie, the license tax shall be $5 per day for each said side-show or each said side exhibition.

Section 514: Dyeing and Cleaning Works. For every person, firm or corporation who owns or keeps, solicits or delivers for any dyeing or cleaning establishment or carries on the business of dyeing, the license tax shall be $10 per year.

Section 515: Proprietor of Dancing Schools. For every person, firm or corporation engaged in the business of conducting a dancing academy, class or school, the license tax shall be $10 per year.

Section 516: Handbill and Sample Distributors. For every person, firm or corporation engaged in the business of distributing handbills, dodgers, cards or samples, the license tax shall be $25 per year.

Section 517: Electric Wirers and Fixture Installers. For every person, firm or corporation engaged in the business of electric wiring, or selling electric supplies or installing gas or electric fixtures, the license tax shall be $25 per year. Provided, however, that every person, firm or corporation before obtaining a license under this section shall execute a bond to the City of Alameda in the sum of $250 conditioned that he, they or it will comply with all of the ordinances relative to the furnishing or installing of gas or electric fixtures or supplies.

Section 518: Garage Keepers. For every person, firm or corporation engaged in the business of conducting an automobile garage where automobiles are stored, cleaned or repaired for hire, the license tax shall be $36 per year.

Section 519: Furnishers of Gas Regulators. For every person, firm or corporation engaged in the business of providing gas-regulators, the license tax shall be $10 per year.

Section 520: Keepers of Employment Offices. For every person, firm or corporation engaged in the business of keeping an employment or intelligence office the license tax shall be $20 per year.

Section 521: Junk Dealers. For every person, firm or corporation engaged in the business of dealing in junk, the license tax shall be $15 per year.

Section 522: Livery or Boarding Stable Keepers. For every person, firm or corporation engaged in the business of keeping,

maintaining or conducting a livery or boarding stable for hire, the license tax shall be $25 per year.

Section 523: Keepers of Merry-Go-Rounds, Etc. For every person, firm or corporation conducting, maintaining or carrying on the business of merry-go-round or a ferris or other similar wheel, or recreation swing, the license tax shall be $1 per day.

Section 524: Money Loaners. For every person, firm or corporation engaged in the business of loaning money on real estate or personal property as security, the license tax shall be $20 per year.

Section 525: Keepers of Museums. For every person, firm or corporation engaged in the business of maintaining or conducting any museum, or panorama where an admission fee is charged, the license tax shall be $5.00 per day.

Section 526: Patent Medicine Venders. For every person, firm or corporation engaged in the business of vending patent medicines other than from a fixed place of business, the license tax shall be $10 per day.

Section 527: Pawnbrokers. For every person, firm or corporation engaged in the business of pawnbroking, the license tax shall be $50 per year.

Section 528: Peddlers and Street Venders. For every person who peddles or from place to place or in the streets offers to or does sell, barter or exchange anything then in his actual possession in said city, other than intoxicating or malt liquors, excepting newspapers, periodicals, publications, ice, milk, and excepting those who sell only to traders and merchants for re-sale, the license tax shall be $50 per year; provided that the license tax imposed by this section shall not apply to the occupations covered by Section 537 of this article. (As amended by Ord. No. 2 N. S.)

Section 529: Theaters, Moving Picture Shows and the Like. For every person, firm or corporation maintaining or conducting a theater, moving picture show, phonograph or kinetoscope picture parlor or arcade, the license tax shall be $25 per year where the price of admission or cost of entertainment is five cents or less, and shall be $50 per year where the price of admission or cost of entertainment is ten cents or more.

Section 530: Keepers of Public Scales. For every person, firm or corporation conducting a public scales for hire the license tax shall be $10 per year.

Section 531: Keepers of Hospitals and Sanitoriums. For every person, firm or corporation engaged in the business of conducting a hospital, sanitorium or lying-in hospital the license tax shall be as follows:

Where not more than six bedrooms are used by patients, $15 per year; where not more than six bedrooms and not more than ten bedrooms are used by patients, $25 per year; where more than ten bedrooms and not more than fifteen bedrooms are used by patients, $40 per year; where more than fifteen bedrooms are used by patients, $75 per year.

Section 532: Shooting Gallery Proprietors. For every person, firm or corporation who owns or conducts or keeps any shooting gallery for each shooting gallery the license tax shall be $25 per year; provided that no license shall be granted under this section until application therefor shall be made to the Council, which application shall set forth the particular place, including the street, block and lot number where such shooting gallery is to be conducted, and that the applicant is to conduct and engage personally in business as proprietor and manager thereof at the place described in this petition. Upon receiving such application the Council may in its discretion grant or deny the said petition.

Section 533: Skating Rink Proprietors. For every person, firm or corporation engaged in the business of keeping or conducting or maintaining a skating rink the license tax shall be $50 per year.

Section 534: Solicitors. For every solicitor or order agent who shall solicit or take orders for the sale, exchange, delivery or barter in said city of any goods, wares or merchandise, other than malt or intoxicating liquors, not then in his actual possession as a peddler, excepting newspapers, periodicals, publications, ice or milk, the license tax shall be $150 per year; provided that this section shall not apply to wholesale agents who solicit orders from dealers only.

Section 535: Book Agents. For every person who shall solicit or take orders for the purchase, sale, exchange, barter or delivery in said city of books not then in his actual possession, the license tax shall be $25 per year.

Section 536: Proprietors of Sparring or Boxing Shows. For each exhibition or entertainment of sparring or boxing where an admission fee is charged the license tax shall be $50. The payment of said tax shall not be sufficient to authorize any such exhibition or entertainment without a resolution of the Council permitting the same under such restrictions as it may prescribe.

Section 537: Peanut Venders, Etc. From Hand-Carts, Etc. For every person, firm or corporation engaged in the business of selling tamales, sandwiches, ice cream, peanuts, beans, candy, or edibles of any description, excepting fruit or vegetables, from wagons, hand-carts, stands, trays or baskets, upon the public streets the license tax shall be $2.50 per quarter-year for each such wagon, hand-cart, stand, tray or basket, exclusive of the wagon license tax.

Section 538: Towell Furnishers. For every person, firm, or corporation engaged in the business of supplying towels for stores, offices and public institutions at regular intervals, or stated periods of time, the license tax shall be $10 per year.

Section 539: Undertakers or Embalmers. For every person, firm or corporation engaged in the business of undertaking, or conducting funeral parlors or funerals, or the embalming of human bodies, the license tax shall be $25 per year.

Section 540: Keepers of Veterinary Hospitals. For every person, firm or corporation engaged in the business of conducting a veterinary hospital the license tax shall be $10 per year.

Section 541: Proprietors of Transportation Vehicles. For every person, firm or corporation who owns, keeps or uses any wagon or vehicle hereinafter described, the license tax shall be as follows:

Subdivision A. For every hack, coach, carriage, omnibus or automobile used for the carrying of passengers for hire, or which is let for hire with driver, $5.00 per year for each such vehicle.

Subdivision B. For every wagon or cart drawn by two or more animals and used for the hauling of rock, dirt, manure, sand, loam, gravel, lumber, coal, hay, brick, cement, ice or oil $6.00 per year for each such vehicle; for every such wagon or cart drawn by one animal $3.00 per year.

Subdivision C. For every garbage, vegetable garden or peddlers' wagon or cart, $8.00 per year when drawn by two or more animals, and $5.00 per year when drawn by one animal.

Subdivision D. For every express wagon, $10.00 per year when drawn by two or more animals, and $7.50 per year when drawn by one animal.

Subdivision E. For every vehicle or wagon used for the purpose of delivering goods, wares or merchandise, sold by the owner of such vehicle, $5.00 per year when driven by motor power and $2.50 when drawn by animals. For every motorcycle used for delivering goods, wares and merchandise, $5.00 per year.

Subdivision F. For every vehicle used for the delivery of milk $5.00 per year when drawn by one animal and $8.00 per year when drawn by two or more animals.

Subdivision G. For every vehicle used for the purpose of vacuum cleaning $10.00 per year.

Subdivision H. For every vehicle used for the delivery of laundry $5.00 per year when drawn by one animal, $8.00 per year when drawn by two or more animals, and $10.00 per year when drawn by motor power.

Subdivision I. For every express vehicle driven by motor power $15 per year.

The provisions of section 501 of this ordinance shall not apply to the license taxes imposed by this section. (As amended by Ord. No. 2, N. S.)

Section 542: Warehousemen. For every person, firm or corporation who owns or conducts any warehouse used for the storage of any merchandise or goods, the license tax shall be $10 per year.

Section 543: Wharfingers. For every person, firm or corporation engaged in the business of conducting a wharf or of collecting wharfage, or dockage, at any wharf, the license tax shall be $10 per year.

Section 543a: Water Service Companies. For every person, firm or corporation engaged in the business of furnishing water to the general public, the license tax shall be $300 per year. (As amended by Ord. No 2, N. S.)

Section 544: Duty to Furnish Sworn Statement when Tax Dependent on Amount of Business. In all cases where the amount of license to be paid by any person, firm or corporation, is based upon the amount of receipts or sales effected, or business transacted, or number of persons employed, or other special circumstances, such person, firm or corporation shall render, if demanded, a sworn statement in writing to the Chief of Police made before some officer authorized to administer oaths, of the total amount of receipts, sales made, or business transacted, or number of persons employed by said person, firm or corporation, respectively, during the three months next preceding the expiration of the last license, or of such other fact, which statement shall determine the amount for which such license shall be issued or renewed.

Section 545: Police Officers as Assistant Inspectors. All police officers are hereby appointed assistant inspectors of licenses and in addition to their several duties as police officers, are hereby required to examine all places of business and persons on their respective beats liable to pay license, and to see that such licenses are taken out, and that no other business than the one described in the license is carried on or transacted. Said assistant inspectors of license shall also report to the Chief of Police the names of all such doing business without a license immediately upon the fact coming to their knowledge.

Section 546: Persons Engaged in Interstate Commerce Exempted. Where, by reason of the laws governing interstate commerce, or other law, any exemption from the payment of a license tax to the City of Alameda shall exist, or any business, person or thing shall not be subject to any license tax imposed by the City of Alameda, no license tax shall be required or collected under this article.

Section 547: Misdeameanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdeameanor.

Article 3—LICENSES FOR MAINTAINING BILL BOARDS, FENCES AND OTHER STRUCTURES USED FOR ADVERTISING.

Section 548: Annual License for Business of Bill Board Advertisers. For every person, firm or corporation engaged in the business of advertising by posting, sticking, tacking, affixing or painting bills or signs to or upon posts, fences, billboards, advertising sign boards, buildings or other structures used in whole or in part for advertising purposes, excepting the business of street or steam railroad car advertising, an annual license tax is hereby established and levied, the amount of which shall be computed as follows: The amount of said license tax shall be for each square foot of surface used at the time of issuing the license the sum of two cents per annum, providing, however, that the minimum license tax so to be paid shall be $240 per year.

Section 549: Affidavit to be Filed Before Issuance of License. It shall be the duty of each person, firm or corporation required to pay a license tax under the provisions of this article to file with the Chief of Police, before the issuance of such license, an affidavit setting forth the locations and area in square feet of surface used by him in said business at the time of applying for the license and also during the last quarter of the year previous.

Section 550: When Tax is Payable. The license tax herein established shall be due and payable in advance on the first day of April of each year, or at such time as any person, firm or corporation subject to it shall engage in such business in the City of Alameda. Provided, however, that licenses issued at the time when this ordinance goes into effect shall not be affected by this Article until they have expired.

Section 551: Necessity to Procure License. It shall be unlawful for any person, firm or corporation to engage in or carry on, in the City of Alameda, any business described in and included in Section 548 of this ordinance without first procuring from said City of Alameda a license so to do.

Section 552: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

CHAPTER IX

BUILDING RULES AND REGULATIONS.

Articles 1—GENERAL BUILDING REGULATIONS.

Section 553: Applicability of Regulations. This chapter shall apply to all buildings hereafter to be erected, constructed, altered, repaired, raised, added to or built upon, or demolished within the corporate limits of the City of Alameda.

Section 554: Fire Limit Districts—Their Extent. Four districts are hereby located, in the City of Alameda, to be known as Fire Limits Number 1, Fire Limits Number 2 and Fire Limits Number 3 and Fire Limits Number 4, which districts are described as follows:

Fire Limits Number 1. Commencing at the point of intersection of the eastern line of Park Street and the northern line of Encinal Avenue, and running thence easterly along said line of Encinal Avenue one hundred and fifty (150) feet; running thence northerly parallel with Park Street to the southern line of Lincoln Avenue, running thence westerly along said line of Lincoln Avenue to a point distant thereon one hundred and fifty (150) feet westerly from the western line of Park Street; running thence southerly parallel with Park Street to the northern line of Encinal Avenue; and thence easterly thereon to the point of beginning.

Fire Limits Number 2. Commencing at the southwestern corner of Oak street and Encinal Avenue running thence northerly along the western line of Oak Street to the northern line of Eagle Avenue running thence easterly along the said line of Eagle Avenue to the eastern line of Everett Street; running thence southerly along said line of Everett Street to the northern line of Central Avenue; running thence easterly along said line of Central Avenue to the eastern line of Regent Street, projected northerly; running thence southerly along said line of Regent Street to the southern line of Encinal Avenue and running thence westerly along said line of Encinal Avenue to the point of beginning.

Fire Limits Number 3. That portion of the City of Alameda bounded on the south by the northern line of Central Avenue;

on the north by the northern line of Pacific Avenue; on the east by a line parallel with and distant easterly two hundred (200) feet from the eastern line of Webster Street and on the west by a line parallel with and distant westerly two hundred (200) feet from the western line of Webster Street.

Fire Limits Number 4. Commencing at a point on the southern line of Lincoln Avenue distant thereon one hundred (100) feet easterly from the eastern line of Sherman Street and running thence southerly and parallel with said eastern line of Sherman Street one hundred (100) feet; running thence at right angles westerly and parallel with the southern line of Lincoln Avenue to a point one hundred (100) feet right angle measurement westerly from the western line of Bay Street ;running thence at right angles northerly and parallel with said western line of Bay Street to a point one hundred (100) feet right angle measurement northerly from the northern line of Lincoln Avenue; running thence easterly and parallel with said northern line of Lincoln Avenue to a point one hundred (100) feet right angle measurement easterly from the eastern line of Sherman Street and running thence in a right line to the point of commencement.

Section 555: Applicability to Fire Limits No. 3 and 4. All the provisions of this ordinance which apply to Fire Limits No. Three are hereby made applicable to Fire Limits No. Four and said Fire Limits No. Four shall be subject to and controlled by each and all of said provisions.

Section 556: Necessity for Obtaining Permit. No person, firm or corporation as owner or contractor shall erect a building or structure of any kind, the cost of which exceeds fifty ($50) dollars, or in event that the cost thereof shall exceed fifty ($50) dollars,, add to, enlarge, extend, alter or repair (restoration of paint, plaster and shingles excepted) any building or structure already erected within the City of Alameda, or shall construct any sidewalk over an excavation without first obtaining a permit from the Building Inspector therefor.

Section 557: Application for Permit—Contents. The application for such permit shall state the exact site where the work is to be done and the street number which for new buildings shall be obtained from the City Numberer and certified by him and

such certificate shall accompany such application. Such application shall also state the material, dimensions and cost of the proposed building, structure or improvements and the nature thereof, and shall contain an estimate of time to be occupied in making improvement or construction of building.

Section 558: Where Cost Exceeds Amount Specified in Application. Whenever a building for which a permit has been obtained has been erected at a cost in excess of the amount specified in the application therefor, the owner of said building shall file, within five days after cost thereof shall be determined, with the Building Inspector a statement of the amount of the cost of the said building in excess of the amount specified in application for permit and pay the additional fee computed on the cost of the entire building.

Section 559: Necessity to File Certain Statements and Specifications Before Commencing Construction. Where permits are required to be obtained as provided herein and before commencing the erection, construction, alteration, repair or addition to any building, or part of any building, structure, part of any structure, wall or any platform, staging or flooring to be used mainly for standing or seating purposes, and before the construction alteration or repair of any building, structure or premises is commenced, the owner of proposed improvement or his lessee or the agent of either or the architect employed in connection with the proposed erection, alteration or improvement, shall file with the Building Inspector a detailed statement of the specifications on appropriate blanks to be furnished to applicants by the said Inspector, all of which shall be accompanied with a statement in writing, giving the full name and residence (street and number, if any) of the owner or owners of the land, and proposed building, structure, premises, wall, platform, staging or flooring, and show the capacity either as owner, lessee, or otherwise in which he or they are authorized to perform said work or make said improvement.

Said statement and detailed statement of specifications, shall be kept on file by the Building Inspector and the erection, construction, alteration or repair of such building, structure, platform, staging or flooring or any part thereof, shall not be commenced or proceeded with until said statements, and specifications

shall have been so filed and approved by the Building Inspector, and the said improvements when proceeded with shall be constructed in accordance with such approved detailed statement of specifications, and any modification in specifications made after approval by said Inspector shall be subject to further approval of said Inspector.

Section 560: Permits to be Exhibited to Authorities. All permits referred to in this Chapter must be exhibited to any representative of either the Police or Fire Departments, or the Building Inspector upon demand being made therefor, and all permits must be kept on the premises where the erection, alteration, or improvement of the building or structure is being conducted.

Section 561: Inspector's Right to Enter Buildings. The Building Inspector, so far as may be necessary for the performance of his duties, shall have the right to enter any new or unoccupied building or any building under construction, repair, alteration or removal, or any building alleged to be unsafe, or a menace to life or limb, upon showing his badge of office.

Section 562: Notice of Lathing or Sheating. When a building is ready for lathing or sheating on the inside, the Building Inspector shall be notified. The rough studding shall not be covered or in any way concealed from view until inspection has been made and the written approval of the Building Inspector obtained. And such written approval will not be granted without the production of certificates from the Inspector of electrical wiring and the Plumbing Inspector, showing that the wiring and plumbing in said building have been done according to the Ordinance in such cases made and provided.

Section 563: Expiration and Renewal of Permits. Any permit which may be issued pursuant to the provisions of this Article, but under which no work is commenced within three months from the time of issuance shall expire by limitation, and no work shall be done thereunder unless in the discretion of the Building Inspector the same be renewed, and the said Inspector has power to renew the same without further charge.

Section 564: Permit For Demolition of Buildings. When any building within the fire limits or any building exceeding two

stories in height, outside the fire limits, is proposed to be demolished, the owner, architect or person proposing to demolish the same shall file with the Building Inspector a statement of the work to be done, and no such building or part of such building shall be demolished before such statement has been filed and a permit has been granted by the said Inspector therefor.

Section 565: How Demolition Shall be Done. In demolishing any building, story after story shall be completely removed, and no material of which such building was constructed shall be placed upon the floor of any such building in the course of demolition, but the brick, timbers and other structural parts of each story shall be lowered to the ground immediately upon displacement. The owner, architect, builder or person proposing to demolish any building, structure, premises, wall, platform, staging or flooring shall give twenty-four hours notice;. to the Building Inspector of such intended demolition.

Section 566: Non-Liability of the City for Damages. Every application shall contain an agreement to save the city and its officers, employes and agents harmless from all costs and damages which may accrue in any manner whatsoever either from use or occupancy of the sidewalk, street or sub-sidewalk space, or otherwise.

Section 567: Fees for Permits. The applicant or applicants for building permits shall at the time of filing application pay to the Building Inspector for expenses of inspection and examination of the building or work for which permit is required, the sum of fifty cents (50c) if the cost of said building, structure, alteration, improvement or work exceeds fifty dollars ($50.00) and not more than five hundred dollars ($500.00); the sum of two dollars ($2.00), if the cost thereof exceeds five hundred dollars ($500.00) and not more than one thousand dollars ($1000.00); the sum of four dollars ($4.00) if the cost thereof exceeds one thousand dollars ($1000.00) and not more than two thousand dollars ($2000.00); the sum of six dollars ($6.00) if the cost thereof exceeds two thousand dollars ($2000.00); and not more than three thousand dollars ($3000.00); the sum of eight dollars ($8.00) if the cost thereof exceeds three thousand dollars ($3000.00) and not more than four thousand dollars ($4000); the sum of ten dollars ($10.00) if the cost thereof exceeds four

thousand dollars ($4000.00) and not more than five thousand dollars ($5,000); the sum of thirteen dollars ($13.00) if the cost thereof exceeds five thousand dollars ($5,000) and not more than ten thousand dollars ($10,000); the sum of seventeen dollars and fifty cents ($17.50) if the cost thereof exceeds ten thousand dollars ($10,000.00) and not more than fifteen thousand dollars ($15,000.00); the sum of twenty dollars ($20.00) if the cost thereof exceeds fifteen thousand dollars ($15,000) and not more than twenty thousand dollars ($20,000); the sum of twenty-five dollars ($25.00) if the cost thereof exceeds twenty thousand dollars ($20,000) and not more than twenty-five thousand dollars ($25,000); and the sum of two dollars ($2.00) additional for every five thousand dollars ($5,000) or fraction thereof in excess of twenty-five thousand dollars ($25,000).

Section 568: Definition of Terms. The following definitions of terms used in this ordinance are hereby adopted.

ALTERATIONS.

Sub. 1. "Alterations" means any change or addition.

REPAIRS.

Sub. 2. "Repairs" means the reconstruction or renewals of any existing part of a building, or if its fixtures or appurtenances, by which the strength or the fire risk is not affected or modified.

PARTY WALLS.

Sub. 3. "Party Wall" means a wall used, or built to be used, in common by two or more buildings.

PARTITION WALL.

Sub. 4. "Partition Wall" means any interior wall other than a division wall.

BEARING WALL.

Sub. 5. "Bearing Wall" means any wall carrying the interior load of a building.

EXTERIOR WALL.

Sub. 6. "Exterior Wall" means every outer wall or vertical enclosure of a building other than a party wall.

FIRE WALL.

Sub. 7. The term "Fire Wall" shall apply to all walls in fireproof, slow burning and ordinary buildings built for the purpose

of fire resistence. They may or may not be bearing walls. The term also applies to that portion of walls above roof surface.

RETAINING WALL.

Sub. 8. The term "Retaining Wall" shall apply to all walls constructed for the purpose of holding back or supporting earth.

DIVISION WALL.

Sub. 9. The term "Division Wall" means any wall other than an exterior wall or a party wall, which extends the full height of a building and through the roof, and such walls shall be in all respects as provided for party walls.

THICKNESS OF WALL.

Sub. 10. The term "Thickness of Wall" means the minimum thickness of such wall between floors, or between floor and ceiling or roof.

CELLAR OR BASEMENT.

Sub. 11. The term "Cellar or Basement" means a lower story one-half or more the height of which is below the level of the street or streets, on which it faces, or of the general level of the ground where it does not face upon a street.

STORY.

Sub. 12. The term "Story" except as otherwise provided herein, means (for the calculation of the thickness of foundation and size of studding) the division between floors in a building.

TERRA COTTA.

Sub. 13. The term "Terra Cotta," when used alone shall apply to the hand-moulded, baked clay materials used for architectural decoration and construction of walls.

HARD TERRA COTTA FIREPROOFING.

Sub. 14. The term "Hard Terra Cotta Fire-Proofing" shall apply to all clay fireproofing material that is manufactured without sawdust.

SEMI-POROUS TERRA COTTA FIREPROOFING.

Sub. 15. The term "Semi-Porous Terra Cotta Fire-Proofing" shall apply to all clay fireproof material having fifty per cent of sawdust measured by volume, mixed with fifty per cent of clay.

DEAD LOAD.

Sub. 16. The term "Dead Load" shall apply to and include the weight of the walls, floors, etc., of a building, including all permanent construction.

LIVE LOAD.

Sub. 17. The term "Live Load" shall apply to and include all weights in a building other than dead loads. Such loads shall include temporary construction, furniture and people.

BUILDING.

Sub. 18. The term "Building" shall apply to any structure which can be occupied for living purposes, or for business, or for a shelter or to support weight.

MASONRY.

Sub. 19. The term "Masonry" shall apply to brick, stone, concrete or reinforced concrete construction.

DWELLINGS.

Sub. 20. A "Dwelling" is a building which shall be intended or designated for or used as the home or residence of not more than two separate and distinct families or households, and in which not more than fifteen rooms shall be used for the accommodation of lodgers or guests, and no part of which structure is used as a store or for any business purpose. Two or more such dwellings may be connected on each story and used for boarding or lodging purposes provided the halls and stairs of each house shall be left unaltered and kept open and in use as such.

APARTMENT HOUSE.

Sub. 21. An "Apartment House" is a building containing separate apartments with self-contained conveniences for three or more families having a street entrance common to all.

TENEMENT HOUSE.

Sub. 22. "Tenement House" is a building similar to an apartment house, except that the tenements of which it is composed have no self-contained conveniences.

FLATS.

Sub. 23. "Flats" is a building of two or more stories containing separate self-contained dwellings, each having an independent street entrance.

HOTEL.

Sub. 24. A hotel is a building or part thereof intended, designed or used for supplying food and shelter to human beings and having a general public dining room or cafe, or both, and containing more than fifteen guest rooms.

OFFICE BUILDING.

Sub. 25. An "Office Building" is a building divided into rooms above the first story and intended and used for office purposes, and no part of which shall be used for living purposes, excepting janitor or caretaker thereof.

LODGING HOUSE.

Sub. 26. A "Lodging House" is a building containing more than fifteen rooms in which persons are or may be accommodated with sleeping apartments for hire by the day, week or month.

WAREHOUSE.

Sub. 27. A "Warehouse" is a building used exclusively for the storage of merchandise.

HOSPITAL, SANITARIUM OR SANITORIUM.

Sub. 28. A "Hospital, Sanitarium or Sanitorium" is a building wherein is carried on the business of caring for sick, invalid or infirm people.

Section 569: Measurements For Height, Length and Width of Buildings. For the purpose of this Chapter the greater linear horizontal dimension of any building shall be its length, and the next greater linear horizontal dimension, its width.

The height of buildings shall be measured from the curb level at the center of the main front of the proposed building to the under side of the ceiling joists in case of flat roofs, and for high pitched roofs the middle of the height of the roof shall be taken as the highest point of the building.

For a building erected upon a street corner, the measurements shall be taken from the curb level opposite the center of either front.

When the ground upon which the walls of a structure are built is above the street level, the average level for the ground adjoining the walls may be taken instead of the curb level for the height of such structure.

When a basement or cellar is above the general level of the ground or curb levels not exceeding four (4) feet, then the measurements shall be taken from the ceiling of basement or cellar.

Section 570: Tests of Brick. The brick used in all buildings or chimneys shall be good, well-burnt brick, or some approved form of hard sandlime or cement brick.

All brick must be thoroughly wetted before using.

All materials must be of good quality.

When old brick are used in any wall they shall be thoroughly cleaned before being used and shall be whole and good, hard, well-burnt brick.

Section 571: Test of Sand. The sand used for mortar in all buildings shall be clean, grit sand, free from loam or dirt.

Section 572: Test of Lime Mortar. Lime mortar shall be made of one part lime and not more than five (5) parts of sand, measured dry. All lime used for mortar shall be thoroughly burnt of good quality, and properly slaked before it is mixed with sand. Such mortar must be mixed at least six (6) days before using.

Section 573: Test of Portland Cement. The standard of every brand of Portland cement the use of which is permitted in the City of Alameda, shall be maintained in quality, burning, fineness, chemical analysis, physical tests, and in every other consideration by which the good character of cement is determined. It shall meet the following specific requirements:

In SPECIFIC GRAVITY it shall be not less than 3.1 thoroughly dried at 212 degrees Fahrenheit.

In FINENESS at least 92 per centum shall pass a No. 100 standard testing sieve, and at least 80 per centum shall pass a No. 200 sieve.

In CHEMICAL ANALYSIS it shall contain not more than 4 per centum magnesia (MgO) nor more than 2 per centum gypsum ($CaSO_4$).

In PAT TESTS pats of neat cement about one-half inch thick and three inches in diameter, with thin edges, after hard set in air or immersed in water, shall show no sign of cracking, discoloration or disintegration, and when submitted to the boiling test shall give satisfactory evidence of soundness, without cracking, blowing or warping.

In TENSILE TESTS neat cement briquettes shall develop the following tensile strength per square inch:

24 hours in water, after hard set—125 pounds.

7 days, 1 day in air, 6 days in water—450 pounds.

28 days, 1 day in air, 27 days in water—600 pounds.

In TENSILE TESTS sand briquettes made of a standard sand passing a No. 20 sieve and retained on a No. 30 sieve, three parts of sand to one of cement by weight, shall develop the following tensile strength per square inch:

7 days, 1 day in air and 6 days in water—125 pounds.

28 days, 1 day in air, 27 days in water—300 pounds.

Section 574: Tests of Cement Mortar. "Cement Mortar" shall be made of cement and sand in the proportion of one part of cement and not more than three parts of sand, and shall be used within twenty (20) minutes after being mixed. The cement and sand are to be measured and thoroughly mixed before adding water.

Section 575: Test of Cement and Lime Mortar. Cement and lime mortar, mixed, shall be made of one (1) part cement to six (6) parts of lime mortar, measured in a box, and shall be used within thirty (30) minutes after the cement is mixed in. Said mortar except as to the cement used therein shall be mixed at least six (6) days before using.

Section 576: Test of Concrete. Concrete shall be made of Portland cement, sharp, clean sand and broken stone, broken brick, terra cotta or cinders. Concrete made with broken stone shall be termed rock concrete. Rock concrete for foundations shall be composed of one part Portland cement to eight parts of aggregates composed of sand and broken stone or gravel of major dimensions not more than two inches. Rock concrete for floors, backing of ashlars, fireproofing and reinforced concrete walls shall be composed of one part Portland cement, two parts

sand and four parts broken stone of major dimensions not exceeding one inch.

Concrete made of broken brick, terra cotta or cinders shall be mixed in the proportion of one part of Portland cement to six parts of aggregates compound of sand and broken brick, terra cotta or cinders, as the case may be. Such concrete shall only be used for floor slabs and fire-proofing. The brick and terra cotta must be thoroughly wetted before using.

Section 577: Strength of Floors. Every floor shall be of sufficient strength to bear safely the weight to be imposed thereon in addition to the weight of the materials of which the floor is composed. If to be used as a dwelling house, apartment house, tenement house, hotel or lodging house, each floor shall be of sufficient strength in all its parts to bear safely upon every superficial foot of its surface not less than sixty pounds; if to be used for office purposes, not less than seventy-five pounds upon any superficial foot above the first floor, and for the latter floor one hundred and fifty pounds; if to be used as a school or place of instruction, not less than seventy-five pounds upon every superficial foot; if to be used for stable and carriage house purposes, not less than seventy-five pounds upon every superficial foot; if to be used as a place of public assembly, not less than one hundred and twenty-five pounds upon every superficial foot; if to be used for ordinary stores, light manufacturing and light storage, not less than one hundred and twenty pounds upon every superficial foot; if to be used as a store where heavy materials are kept and stored warehouse, factory or other manufacturing or commercial purposes, not less than two hundred and fifty pounds upon every superficial foot.

The strength of factory floors intended to carry running machinery shall be increased above the minimum given in this section in proportion to the degree of vibratory impulse liable to be transmitted to the floor and as may be required by the Council.

Section 578: Strength and Pitch of Roofs. The roofs of all buildings having a pitch of less than twenty degrees shall be proportioned to bear safely fifty pounds upon every superficial foot of their surface in addition to the weight of materials composing the same. If the pitch be more than twenty degrees, the

live load shall be assumed at thirty pounds upon every superficial foot measured upon an horizontal plane.

Section 579: Strength of Sidewalks. For sidewalks between the curb and area lines, the live load shall be taken at three hundred pounds upon every superficial foot.

Section 580: Strength of Beams and Girders. All beams in the building shall be proportioned to carry the full dead and live load.

In buildings used for offices, dwellings, apartment houses, hotels, lodging houses, hospitals and schools, all girders shall be proportioned to carry the full dead loan and eighty per centum of the required live load, and the columns shall be proportioned to carry the full dead load and sixty per centum of the required live load.

In buildings used for warehouses, stores, libraries, halls and theaters, all beams, girders and columns shall be designed to carry the full dead and live load.

Section 581: Equal Distribution of Weight on Floors. The weight placed upon any of the floors of any building shall be safely distributed thereon. The Building Inspector may require the owner or occupant of any building or any portion thereof to redistribute the load on any floor or to lighten such load where said Building Inspector deems it necessary.

Section 582: Wood Frame Buildings Defined. A wood frame building is a building or structure whose exterior walls, or a portion thereof, are constructed of wood.

Section 583: Frame Buildings Defined. Buildings sheathed with boards and partially or entirely covered with four inches or less of brick work, stone or terra cotta, shall be deemed frame buildings.

Wood frame buildings covered with metal shall be deemed to be frame buildings.

Section 584: Necessity for Permit to Alter or Repair Wood Frame Buildings. Wood frame buildings now erected within fire limits No. 1 shall not be altered or repaired without a permit from the Building Inspector. No wood frame building now

erected within fire limits No. 1 shall be enlarged or built upon in any manner except as provided for by this ordinance.

Section 585: Exclusion of Wood and Frame Buildings From Fire Limits No. 1. Wood frame buildings shall not be erected within fire limits No. 1. Frame buildings may be constructed to a height not exceeding fifty-five (55) feet, anywhere in the city except within fire limits No. 1; provided, however, that this type of construction shall not be permitted for theaters over one story in height.

Section 586: Weight to be Carried by Frame Buildings. Frame buildings shall be designed to carry the loads specified in sections 577, 578, 579, 580 and 581 of this Article.

Section 587: Height Limitation. Wood frame buildings shall be limited to a height of fifty-five (55) feet.

Section 588: Walls of Wood Frame Buildings. The walls of wood frame buildings, to be used as dwellings, stores, theaters, or assembly halls, shall be constructed with studding, covered with weather-boarding on the outside; said boarding shall be continuous to the uppermost plate. No uncovered studding will be allowed against the wall of an adjoining building or structure. Where shingles are used, the walls shall be sheathed solid.

Section 589: Veneered Walls. The outer walls of wood frame buildings, veneered with brick, stone, concrete, or terra cotta shall be at least nine (9) inches in thickness, including veneer, studding and boarding.

No building over three (3) stories in height shall be veneered with brick, stone or terra cotta.

No veneering of brick, stone or terra cotta on any frame building shall exceed thirty-five (35) feet in height.

Veneering walls must be anchored to each stud every two (2) feet in height.

Section 590: Thickness of Foundation Walls. Sub. 1. Wood frame buildings one story high which are used or to be used for dwellings or stores or theaters shall have a masonry or concrete foundation not less than six (6) inches thick and not less than ten (10) inches high with a footing not less than ten (10) inches.

Sub. 2. Wood frame buildings two stories high shall have masonry or concrete foundations not less than eight (8) inches thick, and not less than one and one-quarter (1 1-4) feet, nor more than five (5) feet in height, with a footing not less than twelve (12) inches. When foundations are more than five (5) feet in height, they must be not less than thirteen (13) inches thick.

Sub. 3. Foundations for three-story wood frame buildings shall be of masonry or concrete not less than thirteen (13) inches thick nor less than two (2) feet in height, and for wood frame buildings over three stories, the foundations shall not be less than seventeen (17) inches thick, nor less than two (2) feet in height.

Sub. 4. Foundations for all buildings where the surface of the earth pitches at an angle of more than twenty (20) degrees, shall be stepped in on a level.

Sub. 5. All masonry or concrete foundations except for one-story buildings shall be laid not less than twelve (12) inches below the surface of the earth and on solid ground.

Sub. 6. All buildings over four (4) stories in height shall have foundation or basement walls of masonry or concrete not less than seventeen (17) inches thick and shall not be less than two (2) feet, nor more than twelve (12) feet high from top to top footing to bottom of first story floor joists.

Sub. 7. Footings shall have a spread of one-half (½) the thickness of the wall resting on them.

Sub. 8. Where there are no footings on the outside of a foundation or basement wall, the footings must extend far enough on the inside to make them the required width.

Section 591: Size of Studding—For Exterior Walls and Bearing Partitions. Minimum sizes of studding for all buildings used as dwellings, stores, theaters, or houses of public assembly shall be as follows:

Sub. 1. Studding in one story 2x4, studding supporting one story above 2x4, studding supporting two stories above 2x6 or 3x4, studding supporting three stories above 3x6 or 4x4.

Sub. 2. Where the bearing partitions are less than twelve (12) feet apart, the studding may be less than the outside walls, but shall not be less than 2x4 inches.

Sub. 3. Partitions dividing several stairways and sliding doors shall be not less than 2x3 inches.

Sub. 4. Studding on the exterior and interior walls of buildings over one story in height shall be placed not more than sixteen (16) inches on centers, unless the studding be increased proportionately in size.

Section 592: Underpinning. The underpinning of a one story building shall be not less in size than 2x4 inches, not to exceed sixteen (16) inches on centers, or 2x6 inches not to exceed twenty-four (24) inches on centers.

The underpinning of buildings of two stories or over in height, shall be not less than one inch thicker than the studding of the story immediately above, or its equivalent in size, and such underpinning shall not be placed over sixteen (16) inches on centers.

Section 593: Floor Joists. Floor joists in wood frame buildings shall be placed not to exceed sixteen (16) inches on centers, where flooring one (1) inch thick or less is to be laid.

Section 594: Solid Bridging Over Joists and Partitions. In all buildings over one story in height the floor joists shall be solid bridged on the ends and where the floor joists in such buildings are over 24 feet in length, they shall be solid bridged on the ends and in the center. In all buildings over one story in height the floor joists shall be solid bridged by bridging not less than two inches thick and securely nailed, over all bearing partitions which are over ten feet apart.

Section 595: Dividing Partitions. All dividing partitions between buildings shall be close boarded from the lower floors to the ground, and from the upper celings close to the underside of the roof boarding, so as to effectually check all connection from one building to another. Where a large building is divided into tenements the boarding shall be applied on each dividing partition. The distance between dividing partitons shall not exceed twenty-five (25) feet.

Section 596: Attics. Attics or the unfinished space between the ceiling and roof rafters of all buildings shall be divided into compartments or rooms. Such compartments shall not have a floor space area of more than twenty-five hundred (2500) square

feet. These division walls shall be made solid of either tongue and groove boarding or lathe and plaster.

Section 597: To Have Access to Attic. All buildings shall be constructed so as to permit of access to the attic.

Section 598: Water Closets or Urinals. Each and every compartment wherein a water closet, or urinal is situated shall be ventilated by means of a window directly to the external atmosphere, and having an area of at least four square feet, or by means of an air shaft having an area of at least one (1) squart foot, and undiminished in size to the roof.

Section 599: Manner of Framing. When stories are framed separately each tier of studding must have top and bottom plates, and the top plates must be doubled; when stories are not framed separately, proper bridging must be placed behind the ribbon at the ceiling line or spring line of the cove, and on top of the joist at the floor line. Bridging must be two (2) inches thick and of the full width of the studding in every case.

All wood beams or joists shall be trimmed away at least one (1) inch from all flues and chimneys, whether the same be a smoke, air or any other kind of chimney or flue. This shall not apply to boarding against exterior chimneys.

Section 600: Bridgings. All stud walls or partitions hereafter built, altered or repaired shall have rows of bridging not more than seven feet apart.

Sub. 1. Said bridging shall in all cases extend to the lathing or sheathing and shall be the same width as the studding and not less than two (2) inches thick.

Sub. 2. All outside walls and cross partitions shall be thoroughly angle braced.

Sub. 3. A row of lattice bridging at least two (2) inches thick must be placed between the floor joists at least in every twelve (12) foot span and all spans of floor joists over twenty-three (23) feet shall have two (2) rows of cross bridging.

Section 601: Furring. When a chimney is furred out, the space between the chimney and the breast shall be so built that the passage of fire and smoke shall be intercepted and whereaver cove ceilings are used they shall be solid blocked between the studding at the spring line of the cove and wherever ceilings

are dropped below the line of top plates, they shall be solid blocked between studs.

Section 602: Bay, Oriel or Swell Windows. Bay, oriel or swell windows projecting over the street and constructed in frame buildings shall have spaces of not less than five (5) feet in width, measured on outside of building clear of finish; provided that in buildings built on lots having a frontage of twenty-five (25) feet or less, the space between said bay, oriel or swell windows may be decreased, providing the studding in said space shall be increased in thickness so as to contain the same amount of lumber as would be contained in the studding of the piers in the aforesaid spaces of five (5) feet, but the spaces shall be at least two (2) feet six (6) inches between bays in any case.

When such windows project over street such projection shall not be more than three (3) feet over the street, measured to the finish, and they must not be more than twelve (12) feet wide, measured from end to end, and the finish of their soffits must be at least twelve (12) feet above the sidewalk.

Section 603: Necessity for a Chimney Permit. No person, firm or corporation, shall hereafter construct, reconstruct, or repair any chimney, fireplace or hearth, or put an inlet into any flue, without first having obtained a permit from the Building Inspector so to do. If a Building permit has been issued for the work prescribed in this chapter no additional permit will be required.

Section 604: Manner of Applying for Permit. The person making application for such a permit shall give the location by street and house number, the name and address of the owner and builder, and a detailed description of the work to be done.

Section 605: Necessity for Inspection Before Use. The construction, reconstruction or repair of all chimneys, fire-places and hearths and the installation of all inlets to flues, shall be done in accordance with this article, and no chimney, fire-place or inlet to flue shall be used, until inspection has been made, and the written approval of the Building Inspector obtained.

Section 606: Fees for Permit. When making application for a permit as required by section 604 the sum of twenty-five (25) cents shall be paid for each story of the building which the

chimney passes, and a separate fee shall be paid for each flue. For all other work done as required by this Chapter the fee shall be twenty-five (25) cents, but no additional fee shall be required for a fire-place or inlets to chimneys.

Section 607: When Basement or Attic to Count as One Story. Where the distance from the floor of a basement to the floor next above is seven feet or more, or where the side walls of an attic exceed in height four feet and six inches measured from foot of rafters to top of floor joists, then such basement or attic shall be estimated as one story.

Section 608: Construction of Chimneys and Flues in Buildings—Materials. All chimneys and flues hereafter constructed, except as otherwise herein provided shall be of concrete or masonry with all joints well filled with mortar; their enclosing wall shall be not less than four (4) inches thick and division walls not less than two (2) inches thick.

When a brick chimney is built in frame buildings, the same shall start on the ground and not be increased in size above the foundation and in no case shall the frame of the building come within one (1) inch of the chimney.

Where flue lining is not used or where the enclosing wall of the chimney is less than eight (8) inches, the flue shall be smoothly plastered within for its entire length and on the outside where concealed, from below the lowest timber coming in close proximity to the chimney and up to and against roof boards.

Sub. 1. No smoke flue shall be less than fifty (50) square inches in area and such sized flue shall have not more than two inlets, for three inlets the flues shall be not less than eighty (80) square inches in area; for four inlets not less than one hundred and ten (110) square inches in area, and for a larger number of inlets the size shall be increased in same proportion. Flues larger than two hundred square inches and less than five hundred square inches shall be surrounded by walls not less than eight inches thick; flues larger than five hundred and less than one thousand square inches shall be surrounded by walls not less than twelve inches thick to a height of fifteen feet above the inlet, and eight inches thick the remaining height; flues larger than one thousand square inches shall be

proportionately increased in size and shall be lined with fire-brick for at least twenty feet above the linet.

Sub. 2. Bakery oven flues shall be not less than one hundred and forty-four (144) square inches in area and shall be surrounded by brick work not less than eight inches thick.

Sub. 3. The inside four inches of all boiler flues for boilers of over twenty-five (25) horse-power shall be of fire-brick, laid in fire-clay mortar, for a distance of twenty-five feet in any direction from the source of heat.

Sub. 4. All chimneys having a greater flue area than two hundred and sixty (260) square inches shall be carried up at least ten feet above the highest point of the roof of the building of which they form a part and ten feet above the highest point of any roof within fifty feet of such chimney.

Sub. 5. When a smoke pipe enters a brick chamney, a thimble shall be used. All thimbles used shall be made of fire-clay not less than one-half (½) inch in thickness and shall be bricked around with not less than four (4) inches of brick corbelled out to face of thimble.

Sub. 6. Chimneys not part of a wall shall not be built upon any floor or beam of wood, but shall be built from the ground up, and shall not increase in size from the foundation. No chimney shall be corbelled out more than eight inches from a wall, and corbelling shall consist of at least five courses of brick, but no corbelling shall be more than four inches in twelve-inch walls. Offsets for reducing the size of chimneys shall not be greater than one inch to each course.

Sub. 7. No joists or girder shall be supported on the walls of any chimney or flue.

Sub. 8. Chimneys built outside of frame structures or in light walls thereof, shall be well anchored to the stud walls at intervals of not less than ten feet.

Sub. 9. All chimneys and flues, except as otherwise provided herein shall extend at least four feet above a roof, wherever they come through the peak or ridge of a roof, they shall extend three feet above said peak or ridge and if arising above the roof more than six times their thickness shall be properly anchored.

Sub. 10. Chimneys and stacks connected with steam boilers shall extend not less than ten feet above the woodwork of the

roof, or any adjacent roof, and if sawdust, shavings or wood are burned, shall extend twenty feet above such roof and be provided with spark arresters. Spark arresters shall be placed upon all stacks and chimneys whenever by the Building Inspector deemed necessary for the safety of property.

Sub. 11. Chimneys and flues from boilers, restaurant and hotel ranges, bakers' oven, and similar unusually hot flues, shall have the outside exposed to the height of the rooms in which connection therewith is made, or be plastered directly upon the bricks.

Sub. 12. All chimneys and flues shall be properly cleaned and all rubbish removed and same left smooth on the inside on completion of building and before using the same.

Sub. 13. All bricks used in the construction of chimneys shall be thoroughly wetted before using. All draughts shall be blocked at each floor.

Section 609: Fireplaces and Chimney Breasts. All fireplaces and chimney breasts where mantels are placed except as provided for patent chimney fireplaces, whether intended for ordinary fireplaces or not, shall have trimmer arches to support the hearth or iron bars covered with a sheet of asbestos; arches shall be of brick, stone or burnt clay, at least twenty inches wide measured from the face of the chimney breast, and their length shall not be less than one foot more than the width of the fireplace or grate opening. Wood centers shall be removed from under trimmer arches, and no timber shall be placed under any fireplaces or hearth. Hearths shall be of brick, tile or stone. No wooded header shall be within ten (10) inches of the grate arch.

Open place fireplaces shall have arched heads with an iron arched bar over the top of the opening, not less than ¼x2½ inches turned up at the end two inches in each side of a chimney breast, so as to make a perfect bond for arch, and the course of brick resting on the arch bar shall be corbelled out not less than one inch beyond face of chimney. The course of brick directly under studding header shall be corbelled out to the face of header. The firebacks and jambs of all fireplaces shall not be less than eight inches thick of solid masonry, and a lining of firebrick at least two inches thick shall be added, and filled solidly behind with fireproof material.

Section 610: Open Fireplaces. Open fireplaces shall have arched heads, which shall, whenever possible, extend to the back of the tile or marble facing.

Section 611: Patent Chimneys. Chimneys hereafter erected must be built subject to provisions hereof, of brick, stone or concrete, or a chimney known as a "Patent Chimney," for which a United States patent has been issued, and which has been approved by resolution of the Council.

Sub. 1. All "Patent Chimneys" shall be built up from the floor on which they are used, and in no case shall a stovepipe enter the bottom of a Patent Chimney.

Sub. 2. If a patented chimney be erected on the outside of a building, it shall rest on a substantial iron bracket, fastened to the studding with bolts or lag screws. When erected on the inside of a building it shall rest on an iron plate, not less than one-quarter of an inch in thickness, and not less than eight (8) inches of brickwork on the top of said iron plate, and shall have a smokeproof opening near the bottom for cleaning it. All patented chimneys shall be braced every four feet of their height. All joints must be cemented, and the bands covering the joints shall be made of the best No. 24 galvanized iron and filled with cement.

Sub. 3. All galvanized iron used for the outside covering of patented chimneys shall be of the best No. 24 iron, riveted together with rivets not more than three (3) inches apart, or may be seamed and top and bottom of seams secured by rivets, and shall be ventilated by eight holes, not less than one (1) inch in diameter, said holes to be made close to the top of chimney above the roof, so as to permit the escape of hot air; there shall be a space of not less than one inch between the clay pipe and the iron covering. No patented chimney shall be less than one inch between the clay pipe and the iron covering. No patented chimney shall be less than one and one-half inches from all woodwork and the opening in the roof and in each floor and ceiling through which it passes, shall be closed with an iron plate or other fireproof material. Patented chimneys shall not be fastened to the laths of the siding of the building, but shall be securely fastened to the studding or cross pieces with good iron straps, and in no case shall any patent chimney be suspended from any roof, timber or floor beam.

Sub. 4. The relation of area of chimney to inlets shall be as provided in section 608.

Sub. 5. All pipe used for patented chimneys shall be composed of pure calcined clay, not less than one (1) inch in thickness.

Sub. 6. Patented chimneys built on the inside of a house shall have an opening in the partition enclosing the chimney to permit of the cleaning of the same.

Sub. 7. On one story buildings used as residences the cost of which does not exceed One thousand ($1000) dollars, terra cotta chimneys may be used without galvanized iron coverings, provided that no part of said building is within three (3) feet of the adjoining property line or within any of the Fire Limits and that otherwise said chimney conforms to the regulations for patent chimneys.

Section 612: Fireplaces Connected With Patent Chimneys or Gas Logs. All fireplaces connected with patent chimneys or gas logs must be set on an iron plate, not less than one-quarter of an inch in thickness and not less than three (3) feet nine (9) inches in length by three (3) feet in width, which shall be free from all holes. Boards shall not be placed under the iron plates, which must rest on the floor joists. On top of the iron plate there shall be one (1) inch of concrete or cement, then a course of brick, followed by the tiling or marble. The strength of the floor must not be impaired by the cutting out for the fireplace. In lieu of resting on the floor joists said iron plates may be suspended by wrought iron stirrups of sufficient strength to sustain the fireplace and patent chimney.

The brick jamb of every fireplace or grate opening shall be at least eight (8) inches wide, and the backs shall not be less than eight (8) inches thick and where fireplaces come over one another on separate floors, the jamb of the lower fireplace shall be wide enough to carry the patented chimney far enough to one side of the jamb above so that the patent chimney will pass the upper fireplace in as straight a line as possible. Where bends are necessary in patented chimneys off-sets shall be used. Said offsets shall be made solid and without joints.

Section 613: Inside Dimensions of Patent Chimneys. The inside dimensions of patent chimneys shall be as follows:

For fireplace flues, 18-inch openings—6 inches.
For fireplace flues, 21-inch openings—7 inches.
For fireplace flues, 24-inch openings—8 inches.
For ordinary stove flues—6 inches.
For French range flues—8 inches.
For steel range flues—8 inches.
For furnace flues—8 or 10 inches.

And it is herein provided that any chimney, though not patented, may be erected of terra cotta pipes surrounded with galvanized iron and otherwise complying with section 608 in so far as said section is applicable.

Section 614: Smoke Pipes. No smoke pipes, stove-pipes, terra cotta pipe, earthen pipe, or other smoke flue except as provided in this ordinance shall project through any external wall or window or through the roof of any skylight of any building, and no smoke flue shall pass through any wooden partition of any building unless there is a ventilated air space at least four (4) inches around the pipe. Any smoke pipe passing through the floor or floors of any building shall be projected by a metal casing, extending from the ceiling to at least one (1) foot above the floor, and there shall be a ventilated air space of a least four (4) inches around the said pipe.

Section 615: Unsafe Stovepipes. If the Building Inspector declares that a galvanized iron pipe is not sufficient for the safety of a building or adjoining buildings, said Inspector shall inform the owner or owners, or the person having control thereof, and order a brick or terra cotta chimney to be erected in lieu thereof within ten (10) days after such notice.

Section 616: Gas Grates and Logs. Gas grates or logs shall not be placed in any building elsewhere than in a fireplace constructed in the manner prescribed in sections 609 and 610 of this Article. All gas grates or gas log fireplaces shall be connected with a brick, concrete or patent chimney, or galvanized asbestos covered vent at least ten (10) feet in length from base of fireplace. Said brick, concrete or patent chimneys shall be erected and constructed in strict accordance with the provisions and requirements of the sections of this Ordinance which govern the erection and construction of brick, concrete and patent chimneys. Provided, however, that the Building Inspector be, and he is

hereby directed to permit gas grates, gas logs, or gas heaters, without vents when fresh air is admitted to the mantle, or heater, from the outside of the building.

Section 617: Steel Cupola Chimneys. Steel cupola chimneys of foundries shall extend at least ten feet above the highest point of any roof within a radius of fifty (50) feet of such cupola. No woodwork shall be placed within two feet of the cupola.

Section 618: Heating Furnaces. The top of all heating furnaces set in brick shall be covered with brick supported by iron bars, so constructed as to be perfectly tight; said coverings shall be in addition to and not less than six inches from the ordinary covering of the hot air chamber. Smoke pipes and furnaces not set in brick shall be at least two feet from any woodwork, unless if said smoke pipes and furnaces are less than two feet from any woodwork, said woodwork must be protected by sheets of tin plate in such manner that an air space of at least two inches will be formed between the woodwork and the tin plate, which shall extend one (1) foot beyond the furnace on all sides.

Section 619: Fireproof Room for Boilers or Furnace. Every boiler or furnace in any building used for either stores, offices, mechanical or manufacturing purposes, or in hotels, theaters, or assembly halls, or places of public entertainment, shall be enclosed in a fireproof room of brick or concrete walls. All doors leading into such rooms shall be constructed as provided in section 644 of this Ordinance

Section 620: Proximity of Steam Pipes to Wood. No steam pipes, within any of the fire limits, shall be placed closer to wood than three (3) inches, and if said space is objectionable it shall be protected by a soapstone or earthen ring or tube.

Section 621: Hot Air Boxes. All hot air boxes hereafter placed in the floors or partitions of buildings, except when such are entirely of incombustible materials, shall be made of double pipes of tin plate, which shall be not less than one-half an inch apart and set in soapstone or equally fireproof borders, not less than two inches in width, to which the pipes shall be tightly joined by inserting the same into a groove, or the pipes and

boxes shall be covered with asbestos one-sixteenth of an inch in thickness cemented thereon.

Hot air boxes or pipes less than ten inches by twelve inches (10x12) in size shall be kept at least half an inch from any woodwork; those of greater size shall be kept at least one inch from any woodwork. No woodwork shall be placed within one inch of any metal pipe intended to convey steam or heated air, unless such pipe is protected by a facing of metal, soapstone or earthen ring; provided that no covering, except it be of incombustible material, shall be placed within one inch of the outer surface of any steam pipe.

Section 622: Erection of Steam Boilers, Furnaces, Etc. Boilers exceeding ten horsepower, used for generating steam for heating or motive power, and large furnaces, shall not be placed on any floor above the cellar of any building, unless the same is set on metal beams and arches and such beams shall be built into the walls.

Whenever steam boilers, large cooking ranges, furnaces, ovens, coffee roasters, candy kettles, and laundry stoves set in brick, or other structures in which fires are maintained, are set or kept on any wooden floor, such floors shall be protected by not less than two (2) inches of brick laid with air spaces, or with not less than two (2) inches of hollow tiles, upon either of which shall rest a continuous sheet of metal bearing plate, not less than three-sixteenth (3-16) inches in thickness, all joints of which shall be securely riveted; the top of said plate shall be covered with not less than five (5) inches of brick and concrete.

The backs of all ranges or kettles set in brick, built against any frame partition, or against any brick wall upon which there is any wooden furring, or laths, or sheathing, shall be extended with brick or hollow tiles to the height of two (2) feet above the top of such range or kettle.

Section 623: Construction Where Heating Boilers Used. When heating boilers are used, that portion of the ceiling over the boiler and within a radius of four (4) feet therefrom shall be plastered on metal lath or be protected by incombustible shields. Wood or combustible floors and beams under and not less than three (3) feet in front and one (1) foot on the sides of all portable boilers shall be protected by a suitable brick foun-

dation of not less than two (2) courses of brick well laid in mortar on sheet iron.

Section 624: Fire Escapes. For the proper and necessary protection of life and property, all buildings that are already erected and built, or that may hereafter be erected and built in the City of Alameda shall be provided and equipped with fire escapes as follows:

Every building of four stories or more, and every building of three stories in height, when used or occupied as a theater, hospital, asylum, school, seminary, academy, college, hotel, tenement house, apartment house, lodging house, factory, mill, manufactory, workshop, or for public entertainments or assemblages and every school building of three stories in height, shall be provided and equipped with metallic fire escapes combined with suitable metallic balconies, platforms and railing, firmly secured to the outer walls and erected and arranged in such a way and in such proximity to one or more windows, or to as many windows of each story above the first as may be necessary to make and render said fire escapes readily accessible, safe and adequate for the escape of the inmates in case of fire, and when placed on the rear or sides of building not adjoining a street they shall extend down to within eight (8) feet of the ground.

Said fire escapes shall extend from the level of the ceiling of the first story to and over the roof, and shall be either vertical metallic ladder fire escapes, metallic stair fire escapes, or other approved fire escapes. The council shall determine the kind, construction, location and number of fire escapes, necessary and adequate on all such buildings to make the means of escape therefrom easy and safe to the inmates in case of fire.

Section 625: Standpipes. For the proper and necessary protection of life and property, all buildings hereinafter designated in this section and ordinance that are already erected and built, or that may be erected and built in the City of Alameda shall be provided and equipped with standpipes as follows:

Every building of four stories in height shall have inside or outside of the exterior walls one or more metallic standpipes at least four (4) inches in diameter, which shall extend from four (4) feet above the sidewalk to and over the roof and rest on the firewalls, and at each story there shall be branches with 3-inch

gate valves with reducer from three (3) inches to 2½ inches, provided with cap and chain; and there shall be a two-way Siamese inlet with 3-inch connection attached to each standpipe four (4) feet above the line of the sidewalk; and a two-way outlet over the roof with two 3-inch gate valves with reducer from 3 inches to 2½ inches, provided with cap and chain.

Section 626: Passage to Exits Required in Certain Buildings. All buildings used or occupied or constructed to be used or occupied as hospitals, asylums, seminaries, hotels, apartment houses, lodging house or workshops shall have on each floor a passage free and unobstructed, leading direct to each fire escape.

The following are exempt from the above requirements:

Apartment houses where every apartment has direct access to a fire escape, which either faces on a street or from which there is a direct passage to the street.

All buildings not exceeding in width thirty (30) feet outside measurement and not situated on a street corner.

The council shall determine the location of passage and exits thereto necessary and adequate on all such buildings hereinbefore specified so as to make the means of escape therefrom easy and safe in case of fire or panic.

The minimum width of passage to exits shall be as follows:

To an exit on a building, frontage of from thirty (30) to forty (40) feet, two (2) feet and six (6) inches wide.

To an exit on all buildings over forty (40) feet frontage, three (3) feet wide.

Provided, however, that the width of passage to exits shall be increased to from three (3) feet to four (4) feet six (6) inches at the discretion of the council, in case of hospitals, asylums, hotels and other buildings where a great number of people congregate or are housed.

Section 627: Awnings. No wooden awning or wooden shade shall be constructed or maintained over the sidewalk or any other portion of any street or avenue.

Section 628: Construction of Masonry Building and Their Application to Fire Limits No. 1. It shall be unlawful for any person to construct or erect any building, or addition thereto

within Fire Limits Number One unless the same be of masonry construction. No building shall be moved to any point within said Fire Limits Number One unless it conform to the regulations for buildings within said limits. Masonry buildings may be erected anywhere wthin the city limits.

Section 629: How Masonry Buildings are to be Constructed. All masonry buildings hereafter erected shall be made and constructed of brick, concrete or stone, and every building of brick, concrete or stone, that shall be newly roofed or covered, shall be constructed with side walls or party walls of brick, concrete or stone, and such side walls or party walls shall extend from the foundation to the top of and through the roof of the building, and said walls shall be so constructed as to separate all woodwork, thoroughly and completely, of the interior and exterior of such building from all and every part of the interior and exterior of any adjoining building; and every such side wall or party wall shall pass through the roof of the building to which it may appertain in such manner as to break entirely any communication of wood whatever between such roof and any other building. And all partition walls shall also extend from the foundation, and through the roof, the same as side walls or party walls. The term "building" as used in this section, shall not include privies. The floors of all buildings shall be constructed to bear with safety upon each superficial foot of floor surface seventy-five (75) pounds; if used for the following purposes they shall be constructed to bear upon each superficial foot of floor surface as follows: For a place of public assembly, one hundred and twenty (120) pounds; for a flour store of storehouse, five hundred (500) pounds; for a warehouse for miscellaneous goods, four hundred (400) to six hundred (600) pounds; jewelry stores, with safe, three hundred (300) pounds; tenement houses, one hundred (100) pounds; dry goods stores, three hundred and ten (310) pounds; roofs, fifty (50) pounds. These weights are to be exclusive of the weight of the floors and roof. The requisite dimensions of each piece of material are to be determined by computation by the rules given by Treadgold, Hodgkinson, Barlow or Trautwine, or the treatises of other authors now or hereafter to be used at the United States Academy at West Point on the strength of material, using for constants in

the rules only such numbers as have been deduced from experiment on materials of like kinds with that proposed to be used. And the safe load shall not exceed one third (1-3) of the breaking weight as determined by said rules. All gas, water, steam or other pipes which may be introduced into any building shall not be let into the beams at a greater distance than thirty-six (36) inches from the ends of the beams, and then not to exceed one and one-half (1½) inches in depth, for all beams of ten to twelve inches in depth, not more than two (2) inches for all beams of a greater depth; for beams less than ten (10) inches the sinking must not exceed one (1) inch in depth. The covering of all roofs of buildings within Fire Limits No. 1 shall be made and constructed of metal, or some fireproof composition, and all buildings now standing requiring re-roofing in whole or in part, the covering of such roofs shall be made of metal, slate, tiles, terra cotta, asbestos, shingles, a four-ply asbestos roofing, or asphaltum, provided, however, that said asphaltum shall be first laid over four plies of felt, or two coats of malthoid, or equivalent prepared roofing, well cemented together and then covered with at least one-half of an inch of gravel embedded in said asphaltum, gravel to be of such size as will pass through a screen whose meshes shall not exceed one-half inch and be rejected by a No. 6 screen. All timber and lumber used in the construction and erection, or alterations or repairs to buildings, shall be sound and free from blemish.

Section 630: Thickness of Walls When Brick Masonry. When of brick masonry, the outer or bearing walls of all buildings, if less than sixty (60) feet in length without a crosswall, and not over the specified height, the thickness of said walls shall not be less than that given in the following table.

	Basement or Foundation	First Story 16 ft.	Second Story 30 ft.	Third Story 43 ft.	Fourth Story 55 ft.
One-story building	13 in.	9 in.			
Two-story building	17 in.	13 in.	9 in.		
Three-story building....	17 in.	13 in.	13 in.	13 in.	
Four-story building	21 in.	17 in.	17 in.	13 in.	13 in.

Party walls, or walls of greater length between crosswalls, and walls of greater height than those mentioned in the table shall be four (4) inches thicker than that specified in the table.

For reinforced concrete walls, thickness shall be three-fourths of dimensions above specified for brick walls, except that foundations shall be five-fourths as thick as wall.

Header courses in walls of brick masonry shall be run in every six courses.

Section 631: Thickness of Party Walls. Party walls must be four (4) inches thicker than to each tier of beams. The front, rear, side, end and party wills shall, if not carried up together, be anchored to each other every six (6) feet in their height by tier anchors made of one and three-quarters (1¾) inch by three-eighths (3-8) of an inch wrought iron. The said anchors shall be built into the full thickness of the front and rear walls, and shall have flat heads not less than eight (8) inches in diameter on the outside of said walls, so as to secure the front and rear walls to the side, end or party walls; and all stone used for the facing of any building except where built with alternate headers and stretchers, shall be strongly anchored with iron anchors and all such shall be let into the stone at least one (1) inch. The sides, front and rear and party walls shall be anchored to each tier of beams at intervals of not more than eight (8) feet, with good, strong wrought-iron anchors, three-eights (⅜) by one and one-half (1½) inches, built in not less than two-thirds (2-3) of the thickness of the side walls, and have the ends turned down into the joists and securely spiked thereto, and where the beams are supported by girders, the ends of the beam resting on the girder shall be strapped by wrought-iron straps of the same size, and at the same distance apart, and in the same beams as the wall anchors.

Section 632: Wall Anchors. All wall anchors used in any building shall be not less than three-eights (⅜) by one and one-half (1½) inches wrought iron, not less than three (3) feet, six (6) inches in length, turned down into the joists or back tie, and shall have a flat head of either wrought or cast iron not less than six (6) inches square riveted on.

Section 633: Wooden Beams or Timbers in Party or Other Walls. All wooden beams or other timbers in the party walls of every building hereafter erected or built of stone or brick or iron shall be separated from the beam of timber entering in the opposite side of the wall by not less than four (4) inches of solid mason work, and every beam, joist or bearing timber shall rest at least four (4) inches in the wall or on girders, as authorized by this Chapter, exclusive of any corbel or projection from the wall.

No timber shall be used in any wall of any building where stone, brick or iron is commonly used, except wall plates to receive the roof, bond timbers and lintels, as provided in this Chapter.

Section 634: Bond Timbers. No bond timber shall exceed four (4) inches in width and three (3) feet in length.

They shall be laid horizontal, and there shall be eighteen (18) inches of solid masonry work between them. In all buildings of brick or stone the ends of the joists shall be cut with a bevel of not less than three inches. Every trimmer or header more than six (6) feet long used in any building except a dwelling house shall be hung in a stirrup iron of wrought iron of proper thickness and width for the size of the timbers; and all girders, trimmers and tie beams and other principal framing timbers shall rest at least eight (8) inches on the walls or girders.

Section 635: Necessity for Masonry Buildings to Comply With all Provisions of Ordinance. Masonry buildings in addition to the requirements laid down specially for such buildings, shall comply as near as possible with all other provisions of this Chapter.

Section 636: Drying Rooms. Dry rooms, dry boxes and all enclosures used for drying by artificial heat, must have the floor covered with incombustible material, and be lined throughout with tin and asbestos not less than one-eighth (1/8) inch in thickness, or other approved incombustible material.

Section 637: Clothes Chutes. All clothes chutes hereafter built within Fire Limits Number One shall be lined with metal, and provided with doors or covers made self-closing, so that they

may never serve as flues in case of fire. All shafts shall be covered with fireproof material.

Section 638: Light Wells. All light wells shall be covered with metal frames and wired glass.

Section 639: Private or Water-Closets. Private or water-closets of wood constructed within the Fire Limits Number One, shall not exceed eight (8) feet in height, in the clear of the surface of the floor and ceiling line. For a hotel or lodging house they shall not have more than fifty (50) superficial feet of floor room, and for all other buildings they shall not have more than twenty-five (25) superficial feet of floor room.

The roof and the framework shall be covered with some fireproof materials, and they shall not be placed higher than the third story of any building, nor project over the line of any street, lane, alley or place, and they shall not be used for any other purposes.

Section 640: Sheds. Sheds shall be understood to be open structures, inclosed only on one side and end, and erected on the ground. They shall not exceed twenty (20) feet in height to the highest point of the roof, and, if constructed within the Fire Limits Number One, they shall not exceed fifteen (15) feet in height to the highest point of the roof, and be covered with fireproof materials.

Section 641: Dangerous Buildings, Walls, Chimneys or Other Structures. Whenever, in the judgment of the Council any building, wall or chimney or smokestack, awning or appurtenance to a building, shall, from any cause whatever, be in a situation to be dangerous to persons or property; or when any wooden building within the Fire Limits Number One shall, in the judgment of said Council, be damaged by fire or decay to the extent of forty (40) per cent of its actual value, to be estimated above the line of sidewalk in front of said building, the Council shall give notice to the owner or the owners of such building, wall, chimney or smokestack or other appurtenances to a building, sheds or fences, or to his, or her, or their agent, or the person having the control thereof, if the owner cannot be found, to remove the same forthwith; and the person receiving such notice shall within forty-eight hours after receiving the same, comply with the requirements thereof.

In the event of a dispute as to the amount of damage caused by fire between the owner and the Council, said dispute shall be determined by arbitration of competent mechanics, the owner to select one (1) arbitrator, the council the other; and in case that the arbitrators so chosen do not agree they shall select a third, and the decision of the majority shall be final and conclusive, all expences of the arbitration to be paid by the owner.

Section 642: Repair or Alteration of Wooden Buildings Within Fire Limits No. 1. No wooden building within the Fire Limits Number One shall be altered, changed or repaired without the permission of the council, which permit shall fully express the alteration, changes or repairs allowed, a copy of which shall be filed by the grantee, within two (2) days thereafter, in the office of the Building Inspector, but no permit shall be given to increase the size of said building except as provided for in this ordinance.

Section 643: Scuttles in Roof. All buildings more than two stories in height, shall have scuttles in roof covered with incombustible material and iron ladders or iron stairs leading thereto from the floor below. No scuttle shall be less in size than twenty by thirty (20x30) inches, nor shall any scuttle be placed in any place but a hallway if the interior is subdivided in room. The lid to any scuttle shall not be locked in any way except with an ordinary bolt or lock.

Section 644: Openings in Exterior or Party Walls. Within Fire Limits Number One all openings through exterior or party walls, whereby communication is made with an adjoining building or room, shall not exceed eight (8) feet in width, and shall have an iron lintel or solid brick arch formed with three rollocks, with wooden tinclad fire doors on each side of each such opening, and not more than one such opening in every fifty feet or portion thereof in length shall be allowed in said walls in any one story.

Tin clad doors shall be made as follows: Of two (2) thicknesses of matched redwood boards, crossed at right angles, aggregating 1¾ inches in thickness nailed with clinched nails and covered on both faces and edges, first with one-eighth (⅛) inch of sheet asbestos and then with 10x14 inch tin plate, with joints locked and hammered down over all nail heads. All hinges,

latches and appurtenances shall be bolted to the doors, blinds or shutters; and all tracks or stops to be bolted through or into the wall with expansion bolts, and all eyes or lugs shall be built into the walls.

Section 645: Garage Within Certain Limits. No automobile garage accommodating more than one automobile shall be hereafter established and maintained within Fire Limits Number One.

Section 646: Smoke Houses. All smoke or dry houses, within any of the fire limits in said city, shall be built of brick or stone, and the doors of the same be constructed of some noncombustible material.

Section 647: Buildings in Fire Limits No. I to Comply With all Provisions of Law. Buildings constructed within Fire Limits Number One in addition to the requirements laid down specially for such buildings, shall comply as near as possible with all other provisions of this ordinance.

Section 648: Occupation of Building Constructed or Repaired in Violation of Law. No person, firm or corporation, shall occupy or use in any manner whatsoever any building erected, constructed, altered, repaired, raised, added to or built upon in violation of any of the provisions of this ordinance.

Section 649: Right of Council to Stop Construction or Repair. The Council or Building Inspector shall have the power to stop the construction of any building or the making of any alteration or repairs to any buildings when the same is done in a manner dangerous to life or property, or in violation of any of the provisions of this ordinance.

Section 650: Misdemeanor. Any person, firm or corporation that violates any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 2—THEATERS, OPERA HOUSES AND OTHER PLACES OF AMUSEMENT.

Section 651: Necessity to Conform to Requirement of Article. All buildings constructed, erected, altered, or used as theaters, opera houses, or moving picture shows shall be constructed,

erected, altered, used and maintained in conformity to the provisions of this article, in addition to such other provisions of this ordinance or which may hereafter be adopted which are applicable thereto.

Section 652: Concrete and Masonry Construction—Exceptions All buildings described in Section 651 of this ordinance shall be built of concrete or masonry construction, but any such building which is located without the Fire Limits of the city of Alameda and which has a seating capacity of less than 400 persons may be built of wood frame construction.

Section 653: Construction of Walls Separating Stage From Auditorium. In any such building which has a stage, the walls separating the auditorium from the stage and actors' dressing rooms, shall extend at least four (4) feet above the stage roof or the auditorium roof if the latter be the higher, and the said wall throughout its entire height including the girder over the proscenium opening shall be covered with non-combustible material, and all partitions, ceilings, side-walls of staircase, soffits of stair cases shall be metal lathed, except that wood wainscoting in the auditorium or foyer may be installed to a height not exceeding five (5) feet. When the seating capacity is over four hundred (400) persons, the proscenium wall shall be brick, concrete or other masonry construction and the opening shall be provided with a fire-proof curtain, and all openings through the said walls shall have metal clad or fireproof doors which shall be hung double acting.

Section 654: Construction of Stairs. All openings to stair cases shall be full width of said stair cases. Stairs from balconies or galleries shall not communicate with basement or cellar. They shall have treads and risers of uniform width and height throughout. In no case shall the rise of any stairs exceed seven and one-half (7½) inches in height, nor shall the treads inclusive of nosings, be less than ten and one-half (10½) inches wide. No circular or winding stairs for the use of the public shall be permitted. When straight stairs return directly on themselves, a landing of full width of above flights without any steps shall be provided. The outline of the landing shall be curved to a radius of not less than two (2) feet to avoid angles. In stairs when two flights connect with one main flight, the width of the

main flight shall be at least equal to the aggregate width of the side flights. All enclosed stair cases shall have on both sides strong hand rails firmly secured to the wall, and if the stair case is ten (10) feet or more in width, a center hand rail shall be provided. Hand rails may be of metal or wood, but shall not be less than two (2) inches in diameter.

When the seating capacity is 50 persons or less, stairs must be at least four (4) feet wide between railings, and for every increase of capacity by 50 persons, six (6) inches must be added to width of stairs. Where the seating capacity is 300 persons or more, two sets of stair cases shall be provided on opposite sides of the gallery if there be one.

Section 655: Necessity for Frontage—Exits—How Constructed. All buildings referred to in Section 677 of this ordinance shall have at least one frontage on a street and shall have at least two street exits, each of which shall be at least five (5) feet wide. In every such building in addition to the exits in the front of the building there shall be one exit in the rear of the building when the seating capacity is 300 persons or less, and when the seating capacity is more than 300 persons and less than 500 persons, two exits shall be provided, one of which shall be in the rear of the building, and the other in the side near the rear of the auditorium. When the seating capacity is more than 500 persons, three exits shall be provided leading from at least three (3) sides of the building including the front.

Each exit shall be not less than five (5) feet in width and all exits must open into the public streets, public or private alleys, or into passage ways at least five (5) feet wide and communicating directly with the street.

Door ways and passageways of exit for use of the public shall not be less than five (5) feet in width and for every increase of seating capacity by 100 persons in excess of 600 an aggregate of twenty (20) inches additional exit width shall be allowed.

All doors of exits or entrances shall open outwardly and shall not be fastened when the building is occupied by the public.

Every exit shall have of the same, in the inside, the word "EXIT" painted in legible letters not less than six (6) inches high; over each exit there shall also be a red light, burning gas taken from the street supply mains, and said light must be kept

burning at all times while there is an audience present. All courts and passageways shall be lighted during the performances.

A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and from the said gallery.

Section 656: Interiors to be Metal Lined or Metal Lathed. All buildings referred to in Section 651 of this ordinance and hereafter constructed shall have their interior entirely lined throughout with sheet metal or be metal lathed and plastered. Brick, tile or concrete walls need not be lathed or plastered.

Section 657: Construction of Aisles. All aisles in the auditorium having seats on both sides of the same shall be not less than three and one-half (3½) feet wide when the aisles are sixty (60) feet or less in length, and not less than four (4) feet when the aisles are more than sixty (60) feet in length. Aisles having seats on one side only shall be not less than two and one-half (2½) feet in width when the aisles are sixty (60) feet or less in length, and not less than three (3) feet in width when the aisles are more than sixty (60) feet in length.

Aisles shall extend the entire length of the auditorium to each and every exit opening into said street, alleys or passage ways, and cross aisles leading to said exits shall extend from center aisle to said exits.

Section 658: Relative to Seats. All seats in the auditorium shall not be less than thirty-two (32) inches from back to back, measured in a horizontal direction, and firmly secured to the floor. No seat in the auditorium shall have more than seven (7) seats intervening between it and an aisle. There shall be a space of at least ten (10) feet between the front tier of seats and the screen or stage.

Section 659: Obstruction to Aisles or Exits. It shall be unlawful for any person to place or maintain any chair, stool or other obstruction whatever in any aisle in, or in any passageway, exit or doorway leading to or from any theater, opera house or moving picture show while occupied by the public, or to admit to, or cause or permit any person to be or remain in any aisle

or passageway, except the necessary ushers and other attendants, whose services are required in and about the conducting of such exhibition or entertainment.

Section 660: Fire Protection—Water Supply. All such places of amusement having a seating capacity of four hundred (400) or more persons shall be equipped with at least one and one-half (1½) inch galvanized iron stand-pipe in the middle of one side wall of the auditorium. Said stand-pipe shall have a one and one-half (1½) inch direct connection with the street main. Attached to said stand-pipe there shall be fifty (50) feet on one and one-half (1½) inch hose, and at the end of such hose there shall be of 5-8 inch play pipe. The said fire hose shall be ready for service at all times.

Section 661: Construction of Moving Picture Operator's Box. The following form of construction of the operator's booth for moving picture shows is hereby required: Booth to be at least six (6) feet, six (6) inches high, the floor space to vary according to the number of machines in the booth as follows: One picture machine—6in.x6in. one picture machine and one stereopticon—9in.x6in. Two picture machines and one stereopticon—12in.x6in.

Sheathing walls and ceiling to be of well seasoned non-resinous wood at least three-fourths (¾) inch thick, all joints as closely fitted as possible, tongue and groove preferred. Inside of room must present flat surfaces, all studding, braces, etc., to be on outside.

Lining to be of either No. 28 B. & S. gauge galvanized sheet iron or tin of equal thickness so applied that during exposure to fire it will present the greatest possible resistence to bulging or opening up at the seams, and care should be taken to have sheets as flat against wood as possible, in order to avoid air spaces. Joints to be locked one-half inch and nailed under seams. Nails to be not more than five (5) inches apart. Care must be taken to provide the full one-half (½) inch lock to place nails in the center of the joint so that they may not be easily torn out through the edges of the plates by strains due to bulging when exposed to fire. No solder to be used in joints. If tin is used the plates must be 14x20 inches in size.

Floor to be covered in the same manner and with the same material as the rest of the enclosure.

Door to be 2x6 and inside lined in the same manner and with the same material as the rest of the enclosure. The lining must extend around the edges of and be fastened to outside of door. Door shall open out and be arranged to close automatically either by means of a heavy spring or by a metal rope and weight attachment on inside of both. A stop at least one-half (½) inch wide shall be provided on all four sides for door to close against.

The outside of the booth (in auditorium) must be constructed of the same material as the auditorium.

All openings in the operator's booth shall be provided with fire proof vertical shutters, which when closed shall overlap window opening at least one (1) inch on all sides, and shall be made of No. 14 B. & S. gauge sheet iron, arranged to slide freely in grooves made of No. 14 B. & S. gauge sheet iron fastened on inside of booth. Shutters shall be held open by a fine combustible cord.

Section 662: Rules of Board of Police and Fire Commissioners. In addition to the rules and regulations herein laid down the Board of Police and Fire Commissioners of the City of Alameda is hereby authorized to adopt and enforce from time to time such additional rules and regulations as in its judgment may be necessary, and the violation of any such rules and regulations is hereby declared to be unlawful.

Section 663: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 3—MATTERS RELATING TO PLUMBING.

Section 664: Necessity for Master and Journeymen Plumbers to Register. On and after the passage of this ordinance every person, firm or corporation who shall do business in the city of Alameda as a master plumber, and every person who shall work at the trade of a journeyman plumber, shall register his or its name and address at the office of the Board of Health of said city, and it shall be unlawful for any such master plumber to engage in such business, or for any such journeyman plumber to work at said trade in the City of Alameda without such regis-

tration and without first obtaining the certificate hereinafter referred to from said Board of Health.

Section 665: Master and Journeyman Plumber Defined. A master plumber shall be deemed to be, any person, firm or corporation who shall engage in the business of plumbing; and a journeyman shall be deemed to be, any person who shall work at the trade of plumbing.

After such person, or such firm or corporation, by its duly authorized representative, shall have passed an examination before the said Board of Health or committee thereof, which shall be satisfactory to said Board or Committee, as to his or its qualifications to conduct a plumbing business as a master plumber or to work at the trade of journeyman plumber, a certificate shall be issued to such person, showing the fact of such examination.

Section 666: Master Plumber's Qualifications. No person shall receive a certificate as a master plumber who has not attained the age of twenty-one years, or who has no established place of business in the City of Alameda.

Section 667: Expiration of Certificates—Registration. All certificates granted hereunder shall expire on the first day of July of each year, unless sooner revoked and a renewal thereof and a re-registration shall be required, under the condition herein laid down, before the person, firm or corporation concerned, shall be authorized to continue in such plumbing business or work at said trade.

Section 668: Bonds Required of Master Plumber. Every master plumber doing business in the City of Alameda shall file a bond in the penal sum of Five Hundred (500) Dollars, payable to the City of Alameda, with two good and sufficient surities, or with the surety of a duly qualified surety company, for the faithful discharge of his or its duties as a master plumber in accordance with the laws and the ordinances of the City of Alameda relating thereto, which said bond shall be subject to the approval of the Board of Health of said city, and shall be filed in the office of said Board.

Section 669: Plumbing Inspector to be Notified of Plumbing Work—Fees for Permit and Inspection. Before commencing the

construction or installation of plumbing or drainage work in any building or in any addition to, repair of, or reconstruction of any building, or in any building which shall have been moved in the City of Alameda, the master plumber by whom the said work is to be performed, or construction or installation to be made, shall cause plans and specifications thereof to be filed in the office of the Board of Health of said city and shall thereafter notify the Plumbing Inspector in writing when said work is ready for inspection. And it shall be unlawful for any master plumber to commence any of the work mentioned in this section without first filing plans and specifications as herein provided, or without procuring the approval of said Plumbing Inspector to said plans and specifications, or completing any such work without the inspection and approval of said Plumbing Inspector, first had and obtained.

For receiving and filing the plans and specifications above mentioned and for the inspection herein required, when the work is to be done in a new building, or when the same comprises the installation of two or more fixtures, a fee of Three (3) Dollars shall be charged, and shall be paid upon the filing of said plans and specifications, to the Plumbing Inspector for the use of the health fund of said city.

The requirements of this section shall not be construed to include leaks, repairing faucets, breaks in pipes, or stoppage in pipes.

When any plumbing work for which inspection is required by the provisions of this ordinance, is roughed in, and before the same shall be covered or closed, it shall be the duty of the master plumber, in charge of said work, to notify the Plumbing Inspector, who shall thereupon inspect said work, and if the same has been performed in accordance with the provisions of the Ordinance of the City of Alameda, applicable thereto, he shall issue his certificate of first inspection and no plumbing work shall be closed or covered up until such certificate of first inspection has been issued.

Section 670: Certificate of Final Inspection. Upon the final completion of said plumbing work, it shall be the duty of the master plumber, having the same in charge, to again notify the Plumbing Inspector of such fact, and thereupon said Plumbing

Inspector shall make final inspection of said plumbing work, and if the same has been performed in accordance with the ordinances of said city, he shall issue a certificate of final inspection of said work.

Section 671: Revocation of Certificate as Penalty for Violation of Ordinance. In addition to the penalties prescribed by this article any plumber to whom a certificate has been issued, under the provisions of this ordinance, who shall violate any of the provisions of this article, shall be liable to a revocation of said certificate by the Board of Health of said city after a hearing upon at least five days' written notice to said plumber.

Section 672: Necessity for Work to Conform to Rules. All plumbing and drainage hereafter constructed or installed in the City of Alameda, shall be in accordance with the regulations prescribed in this ordinance.

Section 673: Quality of Material. All material must be of good quality and free from defect; all defective material shall be removed and sound material shall be put in its place, and all work must be executed in a thorough and workmanlike manner.

Section 674: Arrangement of Soil and Waste Pipes. The arrangement of soil and waste pipes must be as direct as possible. The soil, and waste pipes, and traps, where convenient should be exposed to view for ready inspection at all times and for convenience in repairing.

Section 675: Soil and Waste Pipes and Connections. Every soil pipe shall be of cast iron or galvanized wrought iron; waste pipes must be of cast iron, galvanized wrought iron or lead.

All cast iron pipe fittings for waste and soil pipes must be coated both inside and out with asphalt or coal tar, pitch or some toehr similar substance applied hot, subject to the approval of the Plumbing Inspector.

When wrought iron is used for vent pipes it must be galvanized.

All soil and waste pipes shall connect with the house sewer at a point below the surface of the ground and shall be properly cemented thereto.

Section 676: Cast Iron Soil or Sewer Pipe Under Ground. Where a cast iron sewer, soil or waste pipe and fittings are laid

in the ground under any building they must be of extra heavy iron.

Section 677: Waste Pipes to Discharge Into House Sewer. All waste pipes must discharge directly into the house sewer, excepting where a waste pipe is not more than four (4) feet in length measured from the seal of the trap to the connection with the house sewer it may discharge into a trap and cowell at the surface of the ground and on the outside of the building. The vent pipe of all fixtures must be within thirty (30) inches of the seal of the trap, and when said vent pipe exceeds this distance from the seal of the trap, a return vent in all cases must be provided.

Section 678: Testing of Pipes. All iron, soil, or waste pipes, before being covered up, must have openings stopped and be filled with water and allowed to stand until inspected and approved by the Plumbing inspector. All connections of lead with cast iron pipe must be made with a brass ferule of the same size as the lead pipe and calked into the iron pipe and connected to the lead pipe by a wiped joint. All connections of lead pipe must be of wiped joints except that Raymond or Nation bends and sleeves may be used.

Section 679: Fittings and Waste Pipes. When galvanized wrought iron pipe is used for sewer, soil or waste pipes, it must be of the quality known as standard steam thickness, and all changes in direction shall be made with Y's 1-16, 1-6 or 1-8 fittings, said fittings to be threaded on the inside and so constructed as to form a uniform bore with the pipe, without burrs or recesses.

When under architectural conditions the space is unlimited, double T Y's will not be allowed to serve two (2) fixtures.

When under architectural conditions it is not practical to use other than double T Y's, (and then only on vertical lines of pipe) or to comply strictly with this rule then the work must comply as nearly as possible with the provisions of this section.

Section 680: Vent Pipes of Fixtures. In all houses hereafter constructed or altered and in all additions hereafter made to old buildings, the vent pipes of all fixtures which are to discharge directly into the house sewer must extend two (2) feet above the main plate, fire wall, roof, windows or openings in the roof.

Section 681: The Sizes of Vent Pipes When Vent Pipes of a Number of Small Fixtures Unite in One Vent. Small fixtures as mentioned herein means baths, basins, sinks, wash trays, and urinals. When the vent pipes of four, or more small fixtures unite, then the size of the vent pipe above the union of the highest fixture, shall not be less than two (2) inches in diameter, inside measurement.

Section 682: Distance of Vent Pipes From Openings. When it is not practicable to extend the vent pipes of fixtures above the main plate, fire wall, windows or openings in roof, then they shall be extended to a point not less than ten (10) feet away from any openings in the building in which they are located and from the windows, doors or openings of any adjoining building.

Section 683: Slop Hoppers and Vents. When hoppers are constructed or placed in a building the waste pipes and traps must be not less than two (2) inches in diameter, inside measurement. The vent pipes thereof may be one and one-half (1½) inches in diameter, inside measurement.

Section 684: Removal of Old Sewers. When a new building or an addition to an old building is constructed over an old earthen house sewer, said house sewer must be removed and replaced with cast iron pipe of the required size, where it is to be laid under the building or earthen sewer pipe may be laid around the building outside the foundation thereof.

Section 685: Two Buildings Upon One Lot. Where there is a building on the front of a lot and there is to be an additional building constructed in the rear of the same lot, then one sewer may serve both buildings. The same shall apply also where the conditions are reversed, or two buildings are constructed at the same time.

Section 686: Surface Drains. All surface drains, soils, or waste pipes discharging below the ground line of any building, must be connected with the house sewer in a manner satisfactory to the Plumbing Inspector.

Section 687: Safe Wastes. Every safe under a basin, bath, urinal, tank, or other fixture, must be drained by a special pipe one inch or larger in diameter, of galvanized wrought iron, or

lead pipe and must in no case be connected with any soil, waste pipe, drain, or sewer, but must be made to discharge outside of the building.

Section 688: Refrigerators, Ice Boxes, Etc. Refrigerators, ice boxes and water filters shall in no case be directly connected with or to the drainage system, but they may be indirectly connected, providing the means of connection is approved by the Plumbing Inspector.

Section 689: Dentists' Cuspidors—How Placed. The traps, waste and vent pipes of all Dentists' cuspidors that connect with plumbing systems must have traps, waste and vent pipes of at least 1¼ inches in diameter, inside measurement.

Section 690: Minimum Plumbing Service in Tenements, Flats and Stores. Each tenement, or flat, or store hereafter erected in the City of Alameda must be provided with not less than one water closet and one sink.

Section 691: Urinals. Urinals must be either of enameled iron or porcelain.

Section 692: Unsanitary Condition of Buildings. When the plumbing in any building has been inspected and found to be in an unsanitary condition and condemned by the Board of Health, the owner, occupant, or agent must correct such condition to comply with the plumbing rules, and to the satisfaction of the Board of Health, within forty-eight (48) hours after being notified to do so.

Section 693: Vent Pipes of Water Closets. The vent pipes of all water closets that are located on the second, (2nd) third (3rd) or high floors of any building must be four (4) inches in diameter inside measurement. All water closet vent pipes, and the vent pipes of all fixtures that are in the same room with a water closet, must extend two feet above the roof, fire wall, main plate, windows, or openings in roof.

Section 694: Return Vents. All return vents from any fixture or fixtures when uniting with the vent pipes of any other fixture must unite at a point above the highest fixture. No rubber connections shall be allowed between water closets and vent pipes. When the vent pipe of a water closet is placed more than thirty

inches from the seal of the trap, a return vent two (2) inches in diameter must in all cases be provided.

Section 695: Water Closets Located in Yards. When a water closet is located within ten feet of a dwelling, the vent pipe shall extend two feet above the fire wall roof, main plate, windows, or openings in roof, but when a water closet is located beyond this distance no vent is required.

Section 696: Connections of House Sewers With Main Sewers. When there is a sewer in the street every house or building except as otherwise permitted hereby, must be separately and independently connected with it. When possible such connections must be made directly in front of the house. When there is no sewer in the street, and it is necessary to construct a private sewer to connect with the main sewer in an adjacent street, alley or avenue, it must be laid in the street on which the lot fronts and not through the yards or under any hourse or houses. Drain sewers must have a fall of at least one-quarter (¼) of an inch to the foot; it must run along the cellar wall where practicable or if laid under the lower floor of a building must be hung in heavy iron straps securely fastened to the floor joists. When it is not practicable to run and fasten the iron sewer, drain, soil, or waste pipes as above directed, then they may be run in a trench cut to a uniform grade. It must be laid in as straight a line as possible. All changes in direction must be made with curved fittings and Y branches. No brick, sheet metal or earthen-ware flue shall be used as a sewer ventilator, nor shall any chimney flue be used for this purpose. All house sewers shall be constructed of vitrified iron stone pipe not less than four (4) inches in inside diameter, where the same are located outside of the foundation of a building and shall have a fall of not less than one-fourth (¼) inch to the foot. All such sewers shall have a running trap placed inside of the property line and shall be provided with a fresh air inlet on the house side of the water seal, at least four (4) inches in diameter and carried to the surface of the ground. All connections of water-closets with house sewers must be at least four (4) inches in inside diameter.

Section 697: Vent Cowells to be Furnished. It shall be the duty of the Sewer Contractor or the person laying the house sewer to provide a cast iron cap or fitting known as a four (4)

inch Vent Cowell to be placed over the fresh air inlet to the running trap, provided for in this ordinance and to extend at least six (6) inches above the surface of the ground.

Section 698: Sizes of Waste Pipes of Baths, Basins, Wash Trays, Sinks, Urinals or Any Small Fixture or Vessels. All traps, vents and waste pipes of baths, sinks, wash trays, urinals and any small vessel, must not be less than 1½ inches in diameter inside measurement. All traps must have at least two (2) inches of water seal. The trap of a basin may be 1¼ inches in diameter, the waste vent pipe thereof must be 1½ inches in diameter.

Section 699: Waste Pipes Defined. The term waste pipe as herein used applies to any pipe receiving the discharge of any fixture except water closets.

Section 700: Soil Pipes Defined. The term "soil pipes" as herein used applies to any pipe receiving the discharge from one or more water closets.

Section 701: When a Washtray and Sink abut. When a sink and a wash-tray abut one another and they are practically one fixture, and are in the same room, then they, or it, may be served by one trap.

Section 702: Bell Traps. Bell traps prohibited in all cases.

Section 703: Urinal and Water Closet Floor Drains. Urinal and water closet floor drains may be connected to and with soil or sewer pipes, provided said floor drain is properly trapped and vented, and said trap properly supplied with water. Said trap and vent pipe must not be less than two (2) inches in diameter inside measurement.

Section 704: Waste Pipes of Three or More Fixtures. A waste pipe, either vertical or horizontal receiving the discharge of three (3) or more fixtures, shall not be less than two (2) inches in diameter.

Section 705: Architectural Conditions Preventing Full Compliance. Where by architectural conditions, it is not practicable to comply with these rules and venting has to be done under the floor, and available space is limited, then all rules shall be complied with as nearly as possible.

Section 706: Traps Protected. All traps must be protected from syphonage by special air pipes of lead, cast iron, or galvanized wrought iron, except herein otherwise provided.

Section 707: Water Closets. When but one water closet is constructed on the first floor of any building and none is constructed in the basement, thereof, or when but one water closet is constructed in the basement of any building and none is constructed on the first floor thereof, the vent pipe of said water closet, shall be not less than three (3) inches in diameter, inside measurement. When two or more closets are constructed in any building in the basement or on the first floor or in or on both, the vent of one of said water closets shall be at least three (3) inches in diameter, inside measurement, and the vent pipe of the other or others of said water closets shall be at least two (2) inches in diameter, inside measurement.

Section 708: How Vent Pipes to Be Run. All vent or air pipes shall be run with as few bends as possible, and diverting from a vertical line must be made with one-eighth (⅛) bends, and when the vent pipe of one fixture unites with the vent pipe of another fixture, the union must be made with Y's and one-eighth (⅛) bends.

Section 709: Rain Water Leaders. Rain water leaders must not be used as soil, waste, or vent pipes, nor shall any soil, waste or vent pipe be used as a rain water leader. All leaders from roofs must discharge on the surface of the ground, or be carried to the gutters in the street by separate pipes.

Section 710: Cellar Drains. No opening shall be provided in the sewer pipe of any building for the purpose of receiving the surface drainage of the cellar unless special permission is granted by the Board of Health; and any opening so made must be immediately closed when directed by the Board of Health. Said cellar drainage shall be made with 3-inch cast iron pipe with 3-inch trap with brass screw plug and ferrule calked into said trap.

Section 711: Water Closets. No person shall place any plug, pan or hopper closet in any building or any outhouse in the City of Alameda, and no person, owning, controlling or occupying any

property in said city shall permit any plug, pan or hopper closet to be so placed.

Section 712: Testing of Plumbing System. The testing of a plumbing system must be made in the presence of the Plumbing Inspector, and if the test proves satisfactory to him, he shall issue a proper certificate. In all cases notice must be given the Plumbing Inspector when the work is sufficiently advanced for inspection.

Section 713: Drains on Decks, Light Wells, Etc. All deck or lightwell drains must be properly trapped and vented and be suitably supplied with water from the nearest suitable fixtures, said trap and vent must not be less than two (2) inches in diameter, inside measurement, and placed as near the deck as possible. Where the deck or light well is of such an area, that a drain pipe of two (2) inches in diameter is considered insufficient to carry off the storm water, then the size of same must be increased to three (3) inches in diameter, the vent pipe in such cases may be two (2) inches in diameter.

Section 714: Joints of Cast Iron. All joints on cast iron pipe and fittings to same must be made with suitable packing of oakum, properly calked, and run full with molten lead calked.

Section 715: Extra Heavy Cast Iron Pipe. In every building hereafter erected in the City of Alameda of four stories or more in height, what is known to the trade as "Extra Heavy Pipe" must be used for sewer, soil, and waste pipes, and the fittings of same shall also be "Extra Heavy Cast Iron." The vent pipes in such cases may be of standard weight, or galvanized wrought iron pipe may be used instead of "Extra Heavy Cast Iron."

Section 716: Misdemeanor. Any person, firm, or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 4—ELECTRICAL APPLIANCES AND THEIR INSTALLATION.

Section 717: Necessity for Electrical Work to Conform to Ordinance and Rules. All electrical construction, all material and all appliances used in connection with electrical work and

the operation of all electrical apparatus in buildings in the City of Alameda, shall be of the best material and in conformity with the rules and regulations set forth in this article, together with such rules and regulations as may, from time to time, be adopted by the Board of Electricity of said City.

Section 718: Electrical Constructors to Register for Certificate. Every person, firm or corporation engaged in conducting the business of placing, installing or operating electrical wires, appliances, apparatus, or construction, in or on buildings in the City of Alameda, shall appear in person or by duly authorized representative at the office of the Board of Electricity and shall there register his name and place of business in said city, which act, upon being sworn, shall entitle him to a certificate of registration; provided, however, that no certificate of registration shall be granted for a period of more than one fiscal year, or the unexpired portion thereof.

Section 719: Necessity for Constructor to Obtain Certificate. It shall be unlawful for any person, firm or corporation to engage in conducting the business of placing, installing or operating electrical wires, appliances, apparatus or construction in or on buildings in the city without first obtaining a certificate of registration from the Board of Electricity, and said certificate must be renewed as provided for in Section 718 of this Article, within thirty (30) days after the first day of July of each fiscal year.

Section 720: Inspection of Electric Power or Light and Power Plants. Any person, firm or corporation or agent thereof, owning, operating or in possession of any electric power or electric light and power plant, or any person, firm or corporation, or agent thereof, owning or in possession of any building or other structure within the City of Alameda, shall permit an Inspector authorized by the City of Alameda so to do, to enter and inspect such plant or premises once in every three months or oftener if deemed necessary by the Superintendent of the Department of Electricity, for the purpose of ascertaining whether the electrical wires, appliances, apparatus, construction or equipment in or about said plant, building or other structure are in conformity with the provisions of this Article, and it shall be unlawful for

any occupant or owner of premises where electrical wires, appliances, apparatus, construction or equipment are used or are to be used, or any person whatever, to prevent or interfere with any inspector in the discharge of his duties, under this Article; provided, however, that said inspector shall upon the request of the owner or occupant of said premises, exhibit his authority to make such inspection. If the Superintendent of the Department of Electricity or any of his duly authorized inspectors shall find any part of an electrical equipment in or about any building in the City of Alameda to be dangerous to life or property, the said Superintendent of the Department of Electricity or Inspector shall have the right and power to disconnect such electrical equipment from its source of supply, and it shall be the duty of the Superintendent of Department of Electricity to notify the owner, tenant or occupant of the building or of such electrical equipment in writing, designating the equipment so disconnected, to have the defects in said equipment repaired within a reasonable time, not exceeding ten (10) days, from date of notice, and not to use electric current in such dangerous equipment until the same is repaired and made safe to the satisfaction of the Superintendent of the Department of Electricity. The Superintendent of the Department of Electricity shall also be authorized to give written notice to any person, firm or corporation furnishing electric current to any dangerous equipment to cease to supply current to any such dangerous equipment until defects are repaired and such person; firm or corporation is notified to connect same. Any person, firm or corporation failing or refusing to comply with any notice from the Superintendent of the Department of Electricity given under provisions of this section shall be guilty of a violation of this Article and punishable accordingly.

Section 721: Necessity to Obtain Permit for Electrical Work. It shall be unlawful for any person, firm or corporation to place or install in any building, any wiring, apparatus or fixtures, for the use of electricity or to make any alteration or change in or additions to any wiring, apparatus or fixtures for such use without first filing an application with the Board of Electricity in writing, with diagram of the wiring which must show the number of lights marked at each outlet, wire sizes and distances,

location of all switches and tablet or switchboards, and as nearly as possible the manner in which all wires are to be installed, and obtain a written permit to do such work. Such permit shall state the kind of work to be done and shall cover only the kind of work so designated. Said permit shall also state the location by street and number of the building where such work is to be done, and shall be valid only for the location so stated.

Section 722: Application for Inspection. When any electrical installation is ready for inspection an application for inspection thereof must be made on blanks furnished by the Board of Electricity and must be filed in the office of said Board. This application blank must be filled out in full, giving permit number, name of owner and electrical contractor and location by street and number of work to be inspected. Upon receipt of said application of inspection it shall be the duty of the Superintendent of the Department of Electricity to cause same to be inspected, and if found to conform to the rules and regulations provided by this Article, the Superintendent of the Department of Electricity shall issue a final certificate of inspection, certifying that such wiring, apparatus or fixtures have been inspected and found to comply with the terms of this Article, but no such certificate shall be granted until such equipment is made to conform to said rules and regulations prescribed herein.

Section 723: Not to Use Electric Current Before Inspection Certificate Issued. It shall be unlawful for any person, firm or corporation to use any electric current in or through any wiring, apparatus or fixtures in any building until the same shall have been inspected and approved by the Superintendent of the Department of Electricity and the certificate hereinbefore provided for shall have been issued therefor. It shall be unlawful for any person, firm or corporation furnishing electric current for light, heat or power to connect with their or its distributing system with any installation of wiring, apparatus or fixtures in any building before said certificate shall have been issued therefor. The Superintendent of the Department of Electricity may also, before such certificate is issued, give temporary permission to furnish or use electric current through any wiring, apparatus or fixtures, for a period not exceeding 30 days if in his opinion such wiring, apparatus or fixtures are in such condition that current may

safely be used therein, and there exists an urgent necessity for such use. No certificate will be issued on any work unless the whole thereof has been duly inspected nor shall current be used in any such work.

Section 724: Additions or Changes After Inspection. When any addition or change is made in work upon which a certificate has been issued a separate inspection shall be made for the same before use.

After having received from the Superintendent of the Department of Electricity notices of corrections to be made on any installation, the person, firm or corporation receiving such notice must make such corrections as may be necessary in a reasonable time. Corrections on work being concealed must be made at once, and such corrections reported, as no certificate will be issued on work not passed upon.

Section 725: Use of Old Material for Alterations. Where alterations or additions are made in old installations, approval for the use of any old material must be obtained from the Superintendent of the Department of Electricity before same can be used.

New or additional work shall not be attached to any existing installation without written permission from the Superintendent of the Department of Electricity.

Section 726: Fee for Permit. The Board of Electricity shall charge and collect from the person, firm or corporation, to whom any permit for doing any electrical work is issued, under the terms of this Article, a fee of Two ($2) Dollars which shall be paid into the electric fund of said City.

Section 727: Necessity for Inspection Before Lathing or Sealing—Plumbing Work to be in Place. All plumbing and other piping or tube work must be in place on work to be concealed before the electric wiring is inspected and no such wiring will be considered as complete until such piping is in place and a service switch and cut-out installed. Upon making an inspection of any electrical equipment the inspector shall leave a notice at the service switch or other suitable place, stating that the electrical work has been inspected by the Superintendent of the Department of Electricity or his inspectors and it shall be unlawful to lath, seal or in any manner conceal any electrical wiring or other work until the same has been inspected as herein required.

Section 728: Rules of Board of Electricity. In addition to the rules and regulations which the Board of Electricity is hereby authorized to adopt and promulgate for electrical wiring and installation, from time to time, the following rules and regulations are hereby adopted.

Sub. 1. No system of wiring shall exceed 2 per cent loss with maximum amount of current for use of which said system is installed. Lamp circuits not to exceed 1 per cent loss, feeders and sub-feeders 1 per cent; lamps rated at sixteen candle power.

Sub. 2. No mains or feeders shall be less than No. 12 Brown & Sharp, where not over 4 branch circuits are supplied.

Sub. 3. Switches and weatherproof sockets will be required in bathrooms, laundries and over all washstands, and sinks on porches, in basements, outdoors and other damp places. Every service switch must have a carrying capacity of at least 25 amperes.

Sub. 4. In wiring old houses necessary provisions for hanging fixtures must be made. Connecting of fixture wires to outlet wire must be done below the ceiling.

Sub. 5. In general a distance of five inches should be maintained between wires in concealed work. Where five inches cannot be maintained wires shall be protected by flexible conduit or loom. At switch outlets and tablet boards where five inches cannot be maintained, a minimum distance of two and one-half inches will be allowed. When crossing or paralleling other wires, pipes of other conducting material, unless wires are protected by bushing or flexible conduit, a distance of two and one-half inches must be maintained. When wires are supported on "trees" at such crossing, trees should be placed close to each crossing. Where wires cross over one another they should be protected by six-inch bushing securely taped to wire.

Sub. 6. Where possible, at all switch or fixture outlets, a ⅞-inch block must be fastened between studs or floor timbers, flush with the back of lathing to hold tubes, and to support switches or fixtures. Where this cannot be done, wooden base blocks not less than ¾-inch in thickness, securely screwed to the lathing, shall be provided for switches, and also for fixtures which are not attached to gas pipes or conduit.

At gas outlets the conduit, (iron or flexible) must be at least ½-inch from pipe, and extend at least flush with outer end of pipe.

Sub. 7. Flexible or lamp cord will not be allowed on walls or ceilings, or where standard method of wiring can be employed. Cord drops must not hang nearer than five feet from the floor. If portables are needed they must be provided with lamp guards.

Lamp cord ends must be eye-looped and taped in sockets and fuseless rosettes when knot cannot be tied on cord.

Where cords are hung close to gas fixture or where cord can be hung on same, insulating joints must be put on fixtures at ceiling.

Sub. 8. Capping must be screwed on moulding so that inspector can remove same without injuring the capping; moulding must be painted with some waterproof material and not installed until paint is thoroughly dry. The use of nails or staples to hold wire in moulding will not be approved.

Sub. 9. All joints must be soldered and at least two layers of tape (of both rubber and friction and a coating of insulating paint) will be required.

Sub. 10. The wires must be used as much as possible and put on in such manner as not to break the insulation upon the wires.

Sub. 11. In plaster partitions at floor plates and braces extra bushings must be used to prevent accumulation of plaster on the wires. Bushings to be taped to regular bushings employed.

Sub. 12. Conduits must be at least as strong as the ordinary commercial forms of gas pipe of the same size, and its thickness must not be less than that of standard gas pipe. Plain iron or steel pipe of thickness and strength as stated above may be used as conduit, provided that the interior surfaces are smooth and free from burrs.

All metal conduit, armored cable, and metal moulding regardless of length must be permanently and effectually grounded. The ground wire to be made as short as possible and soldered into approved ground clamps; the wire and clamps if necessary may be concealed. In case conduit is grounded to gas pipes, there must be a good electrical connection made around gas meter by a suitable bond wire.

The ground wire to be at least of the following size:
For ½-inch conduit or cable, No. 8 B. & S. gage;
For ¾-inch conduit or cable, No. 8 B. & S. gage;
For 1-inch conduit or cable, No. 6 B. & S. gage;
For 1¼-inch conduit or cable, No. 6 B. & S. gage;
For 1½-inch conduit or cable, 2 No. 6 B. & S. gage;
For 2-inch conduit or cable, 2 No. 6 B. & S. gage.
A separate clamp must be provided for each No. 6 wire.

In order to prevent oxidization the pipe must be galvanized, or the interior surfaces coated or enameled with some substance which will not soften so as to become sticky and prevent the wire from being withdrawn from the pipe. All elbows or bends must be so made that the conduit will not be injured.

Sub. 13. Signs exposed to weather must have all receptacles of an approved type. Receptacles must be protected from weather as in covered letter signs, or weatherproof sockets must be used. All receptacles with plug connections must be soldered to wire.

Current on any lamp circuit for sign work shall not exceed 25 amperes on two-wire 100 volt system, 12½ amperes on each side of a three-wire system. Switches controlling any sign must disconnect all wires. Switches controlling any lamp circuit in sign must disconnect all wires of the circuit.

Sub. 14. Every gas outlet pipe must be protected above the insulating joint by approved insulating tubing, to prevent wires in any manner from coming in contact with grounded part of insulating joint and pipe. Only fixtures having sliding canopies with set screws will be approved. No canopy of less than three-quarters of an inch in depth or one and one-half inches in width shall be used, unless an outlet box is used. This must be a tight box, but may be made of galvanized iron, into which the ends of the flexible tubing must be brought and secured.

No white or red lead shall be used on any insulating joint.

At every outlet where no fixtures are installed, wire ends must be tapered and cleared from gas pipe. Complete electric installation must test free from grounds or shorts mith magneto at final inspection.

Sub. 15. Main leads must be brought out as near as possible to the upper portion of the house and two feet extended outside. They must be enclosed in Iron Armoured Conduit, down to the

entrance cutout and switch, with a two-foot loop of wire for meter connection. A center of distribution must be located as near the center of the building as possible and wire of sufficient size must be used to allow for a two per cent drop in voltage, with full number of lights. The meter must be located in a dry, accessible place, so that it can be read without entering the building. Electric meters to be read and installed without entering building by having a door on hinges on outside of building with clasp to keep door closed. Also condulet on each end of conduit which will be expected on rough inspection. All meter cabinets to be made of sound lumber, one inch thick 18x18x12 inches. Must be painted before being lined with asbestos. This will be expected on rough inspection.

Sub. 16. Boards for meters must be made of sound lumber one inch thick at least and fastened to walls or other supports solidly and in a vertical position. A space of about 12 inches by 12 inches must be allowed for meters, besides space required for service cutout, switch and branch blocks, if on board. Where two or more services are to be installed in one building, as flats, apartment houses, etc., all meters must be placed on one board, each meter having a separate service, cut-out and switch, and board marked with house or apartment number.

All switch and cut-out blocks must be mounted on asbestos at least 1-16-inch thick.

On plastered walls a separate board not less than one (1) inch thick must be placed on which to fasten meter.

Sub. 17. Each heating device using over 600 watts must be protected by cutouts and controlled by indicating switches. These cutouts must be placed at the center of distribution and at each outlet. This arrangement will necessitate running separate pairs of wires from the center of distribution to each outlet, fused to normal capacity of heating device as shown on name plate.

Sub. 18. In wiring motors tables in supplement issued by B. O. F. U. of Pacific, 1910, are hereby adopted.

The table given is to be used only for standard speed motors and for installations where motors do not start under full load. Sizes of wires, switches, etc., for slow speed motors should be larger in proportion as the full-load current of the slow speed motor is larger than the value given in the table, for a motor

of standard speed. Values given in tables for sizes of wire, switches and fuses are not large enough for motors, which start under practically full load, such as motors operating pumps, or compressors starting under full pressure, rock crushers, or machinery having heavy flywheels.

Where the same feeder supplies several motors the size of this feeder may be determined by taking the sum of the full-load current for all motors, plus 50 per cent of the full-load current for the largest motor.

Auto starters must be provided for all motors of more than 3-horse power.

Section 729: Permits and Inspections no Excuse for Damages —City Officers not Liable. This article shall not be construed as relieving from or lessening the responsibility of any person owning, operating or installing any electrical wires, appliances, apparatus, construction or equipment for damages to any building, or any person injured by any defect therein; nor shall the city, its officers, employees, or any agent thereof, be held liable in damages or otherwise by reason of issuance of any permit or of the inspection, authorized herein, or the certificate of inspection issued by the Superintendent of the Department of Electricity or otherwise.

Section 730: Misdemeanor. Any person, who shall violate any of the provisions of this Article shall be deemed guilty of a misdemeanor.

Article 5—THE ERECTION OF POLES AND HANGINGS OF WIRES FOR ELECTRIC LIGHT AND OTHER PURPOSES.

Section 731: Necessity to Conform to Ordinance. It shall be unlawful for any person or persons, firm, company or corporation, to erect any electric light, electric motor, telegraph, telephone or other poles for the purpose of hanging wires theron for any purpose within the corporate limits of Alameda except as hereinafter provided.

Section 732: How Poles are to be Erected. All poles erected by any person or persons, firm, corporation or company for the purpose of hanging wires thereon, shall be under the direction

of the committee on streets of the City Council and all poles erected in circuit shall not be a greater distance apart than one hundred and fifty feet.

All poles supporting conducting wires as herein provided and hereafter to be erected, and any change in location of poles and lines now in use, shall for electric light and power purposes be constructed on the east and south sides of the streets, and for telegraph, telephone, and other purposes on the west and north sides of the streets.

Section 733: How Wires For Various Purposes are to be Strung. When more than three wires are hung on said poles they shall be as follows:

For electric light and motor purposes not less than thirty-five (35) feet from the ground or street, and for all other purposes not less than twenty-five (25) feet, provided that all wires for any other purpose than electric light and power shall be hung not less than three (3) feet below electric light and power wires, and shall be so hung as not to interfere in any manner, or come in contact with said electric light and power wires, and in crossing streets to connect with buildings for electric light and power purposes, wires therefor shall be three (3) feet above all other wires, and said wires shall be so insulated as to prevent danger from fire or other damage.

No trolley wire in any system using ground return shall be smaller than No. 0 B. & S. copper or No. 4 B. & S. Silicon Bronze, well insulated from their supports, and in case of double pole construction the supports shall also be insulated from the poles or immediately outside the trolley wires and protected against contact with other conductors by three (3) guard wires, one above and one on each side and parallel with said trolley wires.

The trolley and feed wires shall be capable of being divided into sections so that in case of fire on the railway route the current may be shut off from the particular section and not interfere with the work of the firemen in extinguishing the flames.

All feeders to trolley wires within the fire district shall connect with said trolley wire at junction of streets or alleys running at right angles to the electric railway and not parallel with or on same street with said trolley wires.

All wires in cars must be run out of reach of passengers and insulated with waterproof insulation.

Light and power wires will not be permitted in the same circuit with trolley wires having a ground return, except in street railway cars, car barns, and power stations.

No electric light, power, telegraph, or telephone wires shall be placed upon any building within the City of Alameda, except where it is necessary to provide light or power or connect telegraph and telephone office with instruments, without consent of said Board.

Section 734: Misdemeanor. Any person or persons, firm, company, or corporation who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 6—THE NUMBERING OF BUILDINGS.

Section 735: System of Numbering to be Followed. All buildings fronting on the avenues, streets and courts of the City of Alameda shall be numbered according to the following system:

Streets and courts running in a northerly and southerly direction shall be numbered from the south toward the north, one number being allowed for each 20 feet and Central Avenue shall be the basis for numbering said streets and courts. The first number northerly of said avenue shall be 1400.

Avenues and courts running in an easterly and westerly direction shall be numbered from the west toward the east, one number being allowed for each 25 feet. The numbers of said avenues shall be so located that there will be 99 numbers west of First Street (formerly Main Street) and they shall increase in numerical order in an easterly direction, so that the first number east of said First Street shall be number 100, and the first number east of Second Street shall be number 200, and so on throughout the length of said avenues.

The even numbers shall be on the north and west sides thereof, and not more than 100 numbers shall be used in any one block.

Where no basis is to be had at the beginning of an avenue or street for numbering the first crossing of said avenue or street shall be the basis for numbers and the numbers shall begin with number 98 on the east or south side of said avenue or street and

number 97 on the west or north side thereof and shall number back to numbers 2 and 1.

Courts shall be numbered from avenues or street upon which they open commencing with number 2 on the south or east side of the court and number 1 on the west or north side thereof and the number on courts shall be the same as the number of feet allowed for the numbers on the streets or avenues to which they are parallel.

Section 736: Whose Duty to Number Building—When to be Done. It shall be the duty of every person owning, occupying or controlling any building or store fronting on a public street or avenue in the City of Alameda to number the same or cause the same to be numbered correctly and in accordance herewith, within thirty days from the passage of this ordinance, and it shall be the duty of any person owning, occupying or controlling any building hereafter erected within said city to so number the same within fifteen days after its completion or occupancy.

Section 737: At Whose Expense. All buildings must be numbered at the expense of the owner, occupant or person in control thereof.

Section 738: Size and Character of Figures. The regulation city number shall consist of metallic figures, two inches in height, or something superior thereto, placed upon or immediately above the entrance to said buildings.

Section 739: Incorrect and Illegible Numbers—Notice to Correct. In case any building in said city shall be unnumbered or or incorrectly numbered the number thereof shall have become defaced or illegible, it shall be the duty of the owner or occupant of th same to cause the same to be numbered correctly within ten (10) days after notification so to do given by or under the direction of the Building Inspector.

Said notice may be served by leaving a copy thereof at the said building in charge of any person, addressed "To the owner or occupant of this building," or may be given by posting such notice on the door or at the entranceway to said building. Said notice shall specify the correct number of the building.

No person shall deface, remove, or destroy any notice so posted until the building on which the same is posted has been correctly and properly numbered.

Section 740: Building Inspector to Give Correct Number. It shall be the duty of the Building Inspector to give the correct number of any building upon demand, and to give the notification mentioned in Section 739 hereof, when the same appears necessary.

Section 741: Misdemeanor. Every person violating any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 7—REGULATING HEIGHT OF DIVISION FENCES AND PARTITION WALLS.

Section 742: Necessity to Obtain a Permit. It shall be unlawful for any owner of real property in the City of Alameda, or any person having possession thereof, to construct, erect or build, after the passage of this Municipal Code, upon such premises any division or line fence or partition wall which shall exceed six (6) feet in height, without first obtaining a permit to do so from the Council of the City of Alameda.

Section 743: Misdemeanor. Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor.

Article 8—BILL BOARDS AND ADVERTISING SIGN BOARDS.

Section 744: Manner in Which Bill Boards are to be Constructed. No person, either by himself, or by any of his agents, servants or employees, shall erect, construct or maintain any bill board, or advertising sign board within the City of Alameda which shall exceed ten feet in height above the ground, and every such bill board or advertising sign board shall have an open space of at least two feet between the lower edge and the ground, which space shall not be closed in any manner while the said bill board or advertising sign board stands, nor shall any bill board or advertising sign board be placed within a distance of twenty-five (25) feet from any sidewalk, school house, church, public building or any building used for business purposes or any dwelling house.

No person either by himself or by any of his agents, servants or employees shall erect, construct or maintain any bill board or

advertising sign board within the City of Alameda, unless the same shall be constructed in a safe and workmanlike manner and in accordance with the following specifications:

Posts to which the same is to be attached to be not less than 4x4 inches in size, to be placed at least three feet apart, and to extend to the top of such bill board or advertising sign board. Anchor posts to be not less than 4x4 inches in size, each to be placed at least three feet in the ground and back of one of the posts above mentioned and to which the bill board or advertising sign board is to be attached. Braces to extend from each of the posts to which the bill board or advertising sign board is to be attached to its corresponding anchor post, and to be not less than 2x4 inches in size and to be securely nailed at each end. (As amended by Ord. No. 2 N. S.)

Section 745: Bill Boards to Bear Name of Owner. Each bill board or advertising sign board hereafter maintained within said City shall bear thereon the name of the owner thereof.

Section 746: Care of Paste and Waste Material Removed. It shall be unlawful for any person, firm or corporation to scatter, daub or leave any paste, glue, or any old bills or posters or pieces of the same or other waste material removed from bill boards on any public street, alley or sidewalk, or other public place, and it shall be the duty of every person, firm or corporation owning, keeping or maintaining any bill board to keep the street, sidewalk and premises adjacent thereto free and clear of any and all such waste materials from such bill board.

Section 747: Nude Figures or Indecent Advertisements. It shall be unlawful for any person, firm or corporation to display for advertising purposes, upon any bill board or advertising sign board, or upon or in any window, or upon any building or fence or in any public place, any delineation or any nude human figure, or any other matter or thing of an indecent or immoral nature, or shocking or offensive to the moral sense.

Section 748: Bill Boards Violating Ordinance Constitute a Public Nuisance—Abatement. All bill boards or advertising sign boards which are found to violate the provisions of section 744 of this article after the expiration of sixty days from the passage of this Municipal Code shall be declared a public nuisance and

it shall be the duty of the Superintendent of Streets to report the same to the Council and the Council may by resolution order the same removed and the said Superintendent of Streets, after the adoption of such resolution, shall have authority to remove the same forthwith.

Section 749: Duty to Use Only Authorized Bill Boards. It shall be unlawful for any person, firm or corporation, engaged in the business of advertising, to post, stick tack or otherwise affix or cause to be posted, stuck, tacked or otherwise affixed any bill snipe, poster, banner, notice or advertisement to or upon any building, out-building, or part thereof, or upon any wall, fence, gate, post, sidewalk, tree, telegraph pole, telephone pole, awning or shelter pole in the City of Alameda, except on a billboard or structure built especially for that purpose and in compliance with this ordinance, and then only on consent from the owner or authorized agent of the property on which the advertisement is to be placed.

Section 750: Misdemeanor. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor.

CHAPTER X

MISCELLANEOUS MISDEMEANORS

Section 751: Disturbing the Peace. No person shall, in the City of Alameda, make, in any place, or suffer to be made upon his premises, or premises within his control, any noise, disorder, or tumult, to the disturbance of the public peace, or disturb the public peace by yelling, whooping, or singing in a boisterous or rude manner.

Section 752: Uttering Obscene Language. No person shall, in the City of Alameda, utter within the hearing of two or more persons, any bawdy, lewd, obscene, or profane language, words or epithets.

Section 753: Language Causing Breach of the Peace. No person shall, in the City of Alameda address to another, or utter

in the presence of another, any words, language, or expression having a tendency to create a breach of the peace.

Section 754: Use of Riotous Language or Words. No person shall, in the City of Alameda, use or utter any language or words calculated to or having a tendency to incite riot, or a disturbance of the peace or the destruction of property.

Section 755: Barking and Howling Dogs. .It shall be unlawful in the City of Alameda to harbor, keep or maintain any dog or dogs which disturb the peace and quiet of any neighborhood or person by barking, howling or making unusual noises in the night time.

Section 756: Drunkenness. No person shall be drunk in a public place or place open to public view, in the City of Alameda.

Section 757: Exposure of Person. No person shall, in any public place within the city of Alameda wantonly or indecently expose his or her person, or conduct himself or herself in a lewd, licentious, or indecent manner.

Section 758: Bathing. No person shall bathe in the waters of the Bay of San Francisco, or any of its estuaries, wtihin the limits of the City of Alameda, or lounge or lay on the shores thereof, between sunrise and dark of the same day, without wearing a bathing dress which covers the person from the shoulders to the knees.

Section 759: Opium Smoking. No person shall, in the City of Alameda, keep or maintain, or become an inmate of or visit, or shall in any way contribute to the support of any place, house, or room where opium is smoked, or where persons assemble for the purpose of smoking opium or inhaling the fumes of opium.

Section 760: House of Ill-Fame or Prostitution. Sub. 1. No person in the City of Alameda shall keep or maintain, or become an inmate of or visitor to, or in any manner contribute to the support of any disorderly house or houses of ill-fame or knowingly let or transfer possession of any premises for use of any person for any of said purposes.

Sub. 2. No person shall aid or assist or be engaged in carrying on or causing prostitution, induce or attempt to induce prosti-

tution to be carried on in any house, room, or place in the City of Alameda.

Section 761: Roaming About the Streets After Midnight. No person or persons shall roam or loiter about the streets of the City of Alameda between the hours of twelve o'clock midnight and four o'clock a. m. without having lawful business upon said streets at that time.

Section 762: Prohibiting Minors Being out at Night. No minor, under sixteen years of age, shall be permitted to go abroad upon, or wander about, the streets of said city, between the hour of nine o'clock at night, and the hour of four o'clock a. m., unless such minor shall have the written permission of his or her guardian or parent, or shall be accompanied by such parent or guardian, or unless such minor shall have necessary business upon such street or streets.

Section 763: Train Jumping. No person under twenty-one years of age, other than an employe of the railroad corporation shall, within the corporate limits of the City of Alameda, jump on or off any moving car or train propelled by steam or electricity.

Section 764: Playing Base Ball. No person shall in the City of Alameda play base ball upon any street, lane or alley in said city or upon any vacant lot or premises having a area of less than one hundred feet in length and one hundred feet in width.

Section 765: Minors Smoking Cigarettes Prohibited. No minor under the age of eighteen years shall smoke tobacco, in any public place in the City of Alameda.

Section 766: Selling Minors Cigarettes Prohibited. No person in the City of Alameda, shall sell, barter, or give tobacco in any form to any minor under the age of eighteen years.

Section 767: Use of Animals for Purposes of Propogation. It shall not be lawful for the owner, keeper or person having possession or control of any stallion, jack, or bull, to allow any such stallion, jack or bull to serve any animal within one hundred (100) feet of any dwelling house occupied by another than such person, or in any public street or alley, or within sight of the same, or contiguous thereto so that such service be exposed to the

view of any person passing in said street or alley or located at the window of any house adjacent thereto.

Section 768: Cruelty to Animals. No person, in the City of Alameda, shall cruelly beat, torture, misuse, deprive of food or water, or otherwise maltreat, any animal.

Section 769: Killing Birds. No person shall, in the City of Alameda, entrap, kill or destroy any bird or birds, except English sparrows.

Section 770: Gambling. No person shall, in the City of Alameda, keep or maintain, or become an inmate of, or a visitor to, or shall in any way contribute to the support of any house or place for the practice of gambling, or knowingly let or underlet, or transfer, the possession of any premises for the use, by any person, for any of said purposes.

Section 771: Nickel-in-the-Slot Machines or Other Mechanical Gambling Devices. Every person who conducts, carries on, maintains or plays at or against any nickel in the slot machine or other mechanical device, operated or played as a game of chance for money, checks, credit, drinks or other merchandise, or any representative of value, is guilty of a misdemeanor.

Section 772: Gambling Devices in Barred or Barricaded Houses or Rooms. It shall be unlawful for any person, firm or corporation within the limits of the City of Alameda to exhibit or expose to view in any barred or barricaded house or room, or in any place protected in a manner to make it difficult of access or ingress to police officers when three or more persons are present, any playing cards, dice, dominoes, fan-tan table or layout or any part of such layout, or any gambling implements whatsoever.

Section 773: Visiting Barred or Barricaded Houses Containing Gambling Devices. It shall be unlawful for any person within the limits of the City of Alameda to visit or resort to any barred or barricaded house or room, or any other place built or protected in a manner to make it difficult of access or ingress to police officers, where any playing cards, dice, dominoes, fan-tan tables, or layout, or any part of such layout, or any gambling implements whatsoever are exhibited or exposed to view when three or more persons are present.

Section 774: Possession of Lottery Tickets or Lottery Implements. It shall be unlawful for any person to have in his possession unless it be shown that such possession is innocent or for a lawful purpose, any lottery ticket, certificate, paper or instrument purporting or representing or understood to be, or to represent any ticket, chance, share, or interest in or depending upon the event of any lottery, or any tool, instrument, stamp or device, used or intended to be used in or for contriving, setting up, preparing, or drawing any lottery, or used or intended to be used in or for contriving, preparing, making, writing, printing, stamping, or getting ready for sale or distribution any lottery ticket or tickets.

Section 775: Presence in Room as Constituting Possession of Articles Therein. Every person found in any room, office or apartment, or place, where any of such airticles enumerated in Section 774 are found, shall, unless the contrary appears, be deemed to have possession of such articles.

Section 776: Improper Use of Police Whistles. It shall be unlawful for any person, in the City of Alameda, not a police officer, or not needing police assistance, to blow any policeman's whistle.

Section 777: Personating Police or Firemen. No person, in said city, shall falsely do any act or thing to lead any person to believe that he is a police or other peace officer or member of the Fire Department.

Section 778: Concealed Weapons. It shall be unlawful for any person not being a public officer, or not having a permit from the Chief of Police, approved by the Mayor of the City, to wear or carry, concealed, any pistol, dirk, brass or iron knuckles, sand club, slung shot, or other dangerous or deadly weapon.

Section 779: Spring Guns. No person shall discharge upon any public street or place in the City of Alameda any gun, by means of which any missile is projected by a spring, bow, or compressed air, or use any implement whereby stones, beans, shot, pebbles, or other substance are projected.

No person shall, in the City of Alameda, hurl or throw any stone or other missile by means of any sling.

Section 780: Prohibiting Use of Certain Fire-Arms and Fire-Works. No person shall fire or discharge, or cause to be fired or

discharged, in the City of Alameda, any fire-works or fire-arms of any kind whatsoever excepting torpedoes, torpedo-canes, or fire-crackers of not more than two inches in length, without first obtaining permission of the Mayor so to do.

Section 781: Prohibiting Sale of Fireworks. No person shall sell, or give away, or keep for sale in said City any fire-works of any kind whatever excepting torpedoes, torpedo-canes, or fire-crackers of not more than two inches in length, unless permission for the use thereof has been first obtained as provided in Section 780.

Section 782: When Shooting Galleries to be Closed. It shall be unlawful for any person or persons owning, conducting or managing a shooting gallery or galleries, in the City of Alameda, to keep open the same, or to discharge or permit to be discharged any cartridge or cartridges therein, between the hours of twelve p. m. and daylight of the following morning.

Section 783: Not to Cut or Injure Telegraph Wires. No person in the City of Alameda shall cut, injure or interfere with any telegraph, telephone, electric light wire or insulator or Police Signal System or Fire Alarm wires without lawful authority.

(As amended by Ord. No. 2 N. S.)

Section 784: Regulating the Distribution of Hand Bills, Dodgers and Advertising Matter. It is hereby declared to be unlawful for any person to throw upon the premises owned, occupied or controlled by another any bill, poster, flyer or advertisement of any merchandise, profession, business or trade without having first obtained the express consent of such other person so to do, and unless said advertising matter be enclosed or contained in an envelope and handed to a person on the premises where delivered; provided that this ordinance shall not apply to the distribution of newspapers or of the United States mail.

Section 785: Not to Destroy Lawful Notices or Advertisements. No person shall obliterate, deface, remove, or destroy a notice required by law to be posted or advertisement lawfully posted by a licensed bill poster, or officer, employee or board of the City of Alameda, or by any lawfully constituted authority.

Section 786: Threats to Construct Certain Buildings. No person in said city, for the purpose of promoting the sale of, or influencing others to purchase any land therein, shall threaten to construct or maintain on said property any wash-house, stable or chicken-yard, or any other structure or nuisance which would be offensive to residents of that neighborhood.

Section 787: Not to Post or Paint Signs or Bills on Fences, Etc., Without Owner's Consent. No person in the City of Alameda shall post, stick, stamp, paint or otherwise affix, or cause to be posted, stuck, stamped, painted or otherwise affixed, any bill, poster, placard, notice, or advertisement, to or upon any house or part therof, wall, fence, gate, post, sidewalk, trees, or boxes around trees, curb, or curbstone, lamp-post, hydrant, or any post supporting electric wires, in any part of the city, without first obtaining permission of the owner, agent or occupant of the premises so to do. (As amended by Ord. No. 2 N. S.)

Section 788: Duty to Remove The Same. Any person or firm whose posters, notices, or advertisements are stamped, painted, or affixed to or upon any house, wall, fence, gate, sidewalk, trees, or boxes around trees, or poles, or posts in said city without first obtaining permission of the owner, agent or occupant of the premises so to do, shall, upon request of the owner of the same, or his agent or the occupant of the premises where such poster, notice, or advertisement may be stamped, painted, or affixed, remove or cause to be removed, the same, within five days from such notice. (As amended by Ord. No. 2 N. S.)

Section 789: Erection of For Sale or To Let or Other Signs. It shall be unlawful for any person, firm, or corporation in the City of Alameda to erect, construct, place or maintain any signs indicating that property is to let or for sale upon any land or building not owned by such person, firm or corporation, unless written permission be first obtained from the owner of said property. Said authorization shall specify the term of the permission given and any sign erected or placed upon the property shall be removed by the person whose name appears thereon at the expiration of the term of said permission.

Section 790: Signs, Advertisements and Names on Land of Another. It shall be unlawful for any person, firm or corporation

in the City of Alameda to erect, place or maintain upon the property of another any sign, advertisement or name without the written authorization of the owner of said property, which authorization must specify the term for which said permission is given. At the expiration of said term all advertisements and names so erected or placed shall be removed by the person, firm or corporation whose advertisements or name appears thereon.

Section 791: Misdemeanor. Any person who shall violate any of the provisions of this Article shall be deemed guilty of a misdemeanor.

CHAPTER XI

MISCELLANEOUS PROVISIONS

Section 792: Place of Imprisonment for Violation of Municipal Code. In all cases of conviction for the violation of any provision of this Ordinance known as The Municipal Code of the City of Alameda, the person or persons so convicted, when the sentence includes imprisonment, shall be imprisoned in the City Prison of the City of Alameda for the period prescribed in the sentence. (As amended by Ord. No. 2 N. S.)

Section 793: Violation of Section of Municipal Code Constitutes Misdemeanor. Any person who violates any provisions of this ordinance, known as The Municipal Code of the City of Alameda, shall be deemed guilty of a misdemeanor. (As amended by Ord. No. 2 N. S.)

Section 794: Penalty for Conviction of a Misdemeanor. Any person who shall be convicted of violating any provisions of this ordinance, known as The Municipal Code of the City of Alameda, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding Five Hundred Dollars, or by imprisonment in the City Prison of the City of Alameda not exceeding six months, or by both such fine and imprisonment. (As amended by Ord. No. 2 N. S.)

Section 794a. Alternative Privilege of Satisfying Fine by imprisonment. Whenever a person has been convicted of any mis-

demeanor under this Municipal Code, the Court may, in imposing sentence upon him that he pay a fine in some stated amount, provided that in case he does not pay such fine, he is imprisoned until the said fine is paid in the proportion of one day's imprisonment for every two dollars of such fine. (As amended by Ord. No 2 N. S.)

Section 795: When Code to take effect: This ordinance known as "The Municipal Code of the City of Alameda," shall take effect and be in force from and after its publication, in manner as provided by law.

Section 796: Ordinances subsequent to Nov. 15, 1912, not affected: No ordinance approved since the 15th day of November, 1912, shall be repealed or in any way affected by any of the provisions of this ordinance.

CHAPTER XIII

RATES OF RAILWAY FARES FOR SCHOOL CHILDREN.

Section 798: Rates of Fares to be Charged School Children. The rates of fare to be charged by any person, association or corporation engaged in the transportation of passengers on railways within the City of Alameda, for the transportation of pupils under the age of twenty-one, who attend the public or private schools thereof between any given point from or to which it is necessary for them to ride in traveling to and from the school houses within said City of Alameda, in which they attend, shall not exceed two and one-half (2½) cents for the transportation of one pupil between said points. (Ord. No. 6. N. S.)

Section 799: Tickets for Transportation. Tickets for the transportation of pupils, as aforesaid, shall be sold in packages or books of twenty (20) tickets each by the railway conductors and at ticket offices established in said City of Alameda by said person, association, or corporation engaged in the transportation of passengers, as aforesaid, and said tickets shall be received for such transportation in said City of Alameda during the days in which said schools are in session and shall be avail-

able and used in actual passage to and from school, with such privileges of transfers as are enjoyed by other passengers conveyed by said person, association or corporation engaged in the transportation of passengers on railways, subject to all reasonable regulations which they may impose not inconsistent with the provisions of the charter of the City of Alameda and the ordinances of said city. (Ord. No. 6, N. S.)

Section 800. Pupils Must Secure Certificate of Attendance. Any pupil under the age of twenty-one years attending any public or private school in the City of Alameda desiring the privileges herein provided, shall secure from the Principal or the head teacher of the school which said pupil attends, a certificate showing that said pupil is in actual and regular attendance therein, which certificate must be presented to said conductor, person, association or corporation engaged in the transportation of passengers on railways, in order to entitle said pupil to the aforesaid tickets at the reduced rate of fare provided for in Sections 798 and 799 of this ordinance. (Ord. No. 6, N. S.)

Section 801: Misdemeanor. Any person, association or corporation engaged in the transportation of passengers on railways violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor. (Ord. No. 6, N. S.)

APPENDIX

ORDINANCE NO. 4

AN ORDINANCE CONFINING THE USE OF POLES AND OVERHEAD WIRES BY ELECTRIC RAILWAYS TO THE STREETS WHEREON SUCH RAILWAYS ARE OPERATED.

Be it ordained by the people of the City of Alameda as follows:

Section 1. .It shall be unlawful after thirty days have elapsed from the time this ordinance takes effect for any corporation, partnership or individual owning or operating an electric railway, to erect, maintain, continue, use, operate, or employ any pole or overhead wire, overhead cable or device except such as are herein specially exempted, over or upon the streets or alleys in the City of Alameda, through, by, over or by means of which electricity is, has or may be in any manner transmitted, conducted or conveyed, or to keep, continue, maintain, use, operate or employ any such pole or any such overhead wire, cable, device or apparatus, except as herein provided, and all such poles and all such overhead wires, cables, devices and apparatus, as aforesaid, except such as are herein exempted from the provisions of this order, shall at and after the time specified aforesaid be deemed and become public nuisances.

Section 2. .Each and every such poles, overhead wire, cable, device, and apparatus as aforesaid, within the said City, excepting such as are herein exempted, owned, controlled, operated, employed or used by any corporation, copartnership or individual for the aforesaid purposes, shall be taken down and removed before the time specified aforesaid, by and at the cost and expense of the corporation, partnership or individual so owning, controlling, operating, employing or using the same.

Section 3. The Board of Electricity shall at the time specified aforesaid proceed to at once take down, remove and carry away any and all such poles, overhead wires, devices and apparatus

aforesaid, as may not have been previously removed by the owners or operators thereof, and the said Board is hereby given full power and authority to use and employ for that purpose as much force as may be necessary to effectually carry out the provisions of this order.

Section 4. Any corporation, copartnership or individual who shall erect or construct, place or keep, maintain, continue, employ, operate or use in any manner whatever, for any of the above mentioned purposes, any such pole or overhead wire, cable, device or apparatus aforesaid, except such as are herein exempted, after the time specified aforesaid or who shall neglect to take down and remove according to the provisions of this order, any and all overhead wires, devices or apparatus, as aforesaid, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty nor more than two hundred dollars for every day such poles, cables, wires or appliances are left standing.

Section 5. Such terminal poles, such wires and cables not more than 200 feet in length and such other appliances as may be necessary for reaching trolley wires at the terminals of underground wires shall be erected and maintained under the suprvision and to the satisfaction of the Board of Electricity and are exempted from the provisions of this order.

Section 6. The poles and trolley and feed wires used exclusively for the transmission of electric power for railway purposes erected, maintained, operated and used upon the streets whereon such railways are located and operated, the guy wires necessary to support such trolley wires and necessary protective wires at crossings are expressly exempted from the provisions of this order, but nothing herein contained shall be so construed as to authorize or permit the erection, maintenance, operation or use of any poles or wires upon such streets without the consent of the Council of said City first had and obtained.

(Passed at Municipal Election held April 14, 1913.)

ORDINANCE NO. 5

AN ORDINANCE PROHIBITING THE ERECTION, MAINTENANCE AND USE OF OVERHEAD ELECTRIC WIRES AND POLES WITHIN A CERTAIN DISTRICT IN THE CITY OF ALAMEDA.

Be it ordained by the people of the City of Alameda as follows:

Section 1. It shall be unlawful ofter thirty days have elapsed from the time this ordinance takes effect for any electric light, electric power, telegraph, telephone or other electric company, or any corporation, partnership individual or municipality to erect, maintain, continue, use, operate or employ any pole or overhead wire, overhead cable or device on poles over or upon the streets and alleys in that portion of the City of Alameda lying southerly of the center line of Eagle avenue and of said center line extending easterly and westerly to the limits of said City, except such as are herein specially exempted, by, through over or by means of which electricity is or may be conducted or conveyed for the purpose of electric light, heat, power, telegraph, telephone or other electric service or to keep, continue, maintain, use. operate, or employ any such pole or overhead wires, cables. devices or apparatus, except as herein provided, and all such poles, and all such overhead wires, cables, devices and apparatus shall at and after the time specified be deemed and become public nuisances.

Section 2. Each and every such pole, overhead wire, cable, device and apparatus as aforesaid, within the said City, excepting such as are herein exempted, owned, controlled, operated, employed, or used by any corporation, copartnership or individual for the aforesaid purposes, shall be taken down and removed before the time specified aforesaid, by and at the cost and expense of the corporation, copartnership or individual so owning, controlling, operating, employing or using the same.

Section 3. The Board of Electricity shall at the time specified aforesaid proceed to at once take down, remove and carry away any and all such poles, overhead wires, devices and apparatus

aforesaid, as may not have been previously removed by the owners or operators thereof, and the said Board is hereby given full power and authority to use and employ for that purpose as much force as may be necessary to effectually carry out the provisions of this order.

Section 4. Any corporation, copartnership or individual who shall erect or construct, place or keep, maintain, continue, employ, operate or use in any manner whatever, for any of the above mentioned purposes, any such pole or overhead wire, cable, device or apparatus aforesaid, except such as are herein exempted, after the time specified aforesaid, or who shall neglect to take down and remove according to the provisions of this order, any and all overhead wires, devices or apparatus, as aforesaid, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty nor more than two hundred dollars for every day such poles, cables, wires or appliances are left standing.

Section 5. Electric railways are hereby expressly exempted from the provisions of this ordinance in so far as it affects the poles and wires used exclusively for the transmission of electric power for railway purposes, erected and maintained by permission of the Council of the City of Alameda upon, over and above the streets whereupon said electric railways are maintained and operated.

Section 6. All poles, wires and appliances erected and maintained prior to the first day of September, 1912, and any and all poles and wires which may become necessary in replacement or renewal thereof and such new wires and appliances, other than the feed wires and other wires of electric railways, as may, with the consent of the Council of said City, be placed upon or attached to such poles are exempted from the provisions of this order.

(Passed at Municipal Election held April 14, 1913.)

Adopted and passed by the Council of the City of Alameda this 14th day of January, 1913.

W. H. NOY,
Presiding Officer of the Council.

Attest: F. E. BROWNING,
City Clerk.

(Seal of the City of Alameda.)

Presented and approved by me this 14th day of January, 1913.

W. H. NOY,
Mayor of the City of Alameda.

I hereby certify that the foregoing ordinance was adopted and passed by the Council of the City of Alameda, in regular meeting assembled, on the 14th day of January, 1913, by the following vote. Ayes: Councilmen Walker, MacRae, Hammond, Probst and Bullock (5). Noes: None. Absent: Councilmen Spence, Ells and Morgenstern, and I further certify that the said ordinance was presented to and approved by the Mayor on the 14th day of January, 1913.

F. E. BROWNING,
City Clerk of Alameda.

(Seal of the City of Alameda.)

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